

S. HRG. 107-533

# REAUTHORIZATION OF THE OFFICE OF EDUCATION RESEARCH AND IMPROVEMENT (OERI)

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## HEARING OF THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS UNITED STATES SENATE ONE HUNDRED SEVENTH CONGRESS SECOND SESSION ON

EXAMINING PROPOSED LEGISLATION AUTHORIZING FUNDS FOR THE  
OFFICE OF EDUCATION RESEARCH AND IMPROVEMENT, DEPARTMENT  
OF EDUCATION, FOCUSING ON ORGANIZATIONAL STRUCTURE, BUDG-  
ET, AND TECHNICAL ASSISTANCE SYSTEMS

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JUNE 25, 2002

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## REAUTHORIZATION OF THE OFFICE OF EDUCATION RESEARCH AND IMPROVEMENT

TUESDAY, JUNE 25, 2002

U.S. SENATE,  
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:02 a.m., in room SD-430, Dirksen Senate Office Building, Hon. Edward M. Kennedy [chairman of the committee] presiding.

Present: Senators Kennedy, Jeffords, Reed, and Clinton.

### OPENING STATEMENT OF SENATOR KENNEDY

The CHAIRMAN. We will come to order. We will be joined in just a few moments by our Republican colleagues and other Democrats. We have the defense authorization, so there is a lot going on and we would like to get started with our very important hearing today.

Today's hearing will focus on the important role of research in improving the quality of education in increasing educational opportunities for all Americans. I want to thank Assistant Secretary Whitehurst for joining us today and for all the assistance he has offered this committee as we begin the task of reauthorizing the Office of Educational Research and Improvement.

The cornerstone of the new ESEA legislation is that we must support proven programs and sound science when it comes to the education of children. The Federal Office of Research and Improvement should be first on the rolodex and the first click of the mouse for every teacher and educator in America as the place to learn what works for our children and what does not, and that is our challenge as we reauthorize OERI—to make it an invaluable resource for quality education in America.

And the need for quality research extends far beyond the K-12 arena. In the 21st Century learning will indeed continue to be a lifelong process, so we need to invest in research exploring all areas of learning from early childhood to adult learners. We need to understand the practices and structures that promote improved teaching and learning. We also need to examine the policies—local, State and Federal—that expand or limit access to educational opportunity for people of all ages.

In order to ensure that research and national assessments are fair, equitable and nonbiased, it is critical that the National Assessment Governing Board and the National Commission on Statistics maintain their autonomy.

Today's hearing will allow us to hear from experts in the field in each of these areas and I appreciate the time of our witnesses to join us and help us understand these issues better. Of course, research is only useful if we have the resources to implement it. We cannot reform and strengthen our schools on a tin cup budget. While the president's budget has a modest increase for research and assessment, it actually decreases funding for the reforms in the No Child Left Behind Law. That means less money for quality teachers, for smaller class size, for after-school programs, and for college aid.

Strong schools are every bit as important to our Nation's future as a strong defense. We must do better. I look forward to doing more for education research but it must go hand in hand with help for our Nation's schools to meet the basic educational needs of students.

I just want to add a very brief word. I think this responsibility is of enormous importance. When you look over the range of different requirements that we have in the No Child Left Behind and particularly when we are talking about scientifically-based research programs that we insist on, we want to make sure there are going to be all kinds of comments about what is research-based and what is not research-based and your organization is going to be the one that is going to play a decisive role.

We had great debates about the quality of testing. That was something that was enormously important. We have tried to ensure that those tests that children are going to take are really going to be based upon State standards and curriculum, with well-trained teachers and fair assessments of these children.

And we also introduced the concept of supplemental services. For a lot of different communities this is a new concept and a new phenomenon. How are we going to know if those supplementary services are really going to be high quality?

And as we look at teachers and teacher training and professional development, we all understand we have a serious shortage of teachers. How are we going to recruit? How are we going to retain those teachers? The professional development programs in the various schools—how will we know which ones are working; which are not?—so that we can share that kind of information with other districts across the country.

And early education, which we are working on, the zero through three programs and the early intervention programs, which I am very hopeful we will be able to achieve with Mrs. Bush. The First Lady has shown enormously impressive leadership in the area of early education. We are working on that in a bipartisan way. It has been the research that was done in this area that really demonstrated the importance of interventions from the zero to five. That research was a wake-up call for us to take action. This is the kind of effort that can be enormously valuable to us.

So this department has an incredible opportunity, unparalleled, I think now, in terms of where we are and we want to give you all the help and support you need. We are going to be depending on you, so we want to work very closely. We are grateful to you for the efforts that you have made working with this committee, all the members of the committee, in terms of the reauthorization and

we want to say that we want OERI to be what NIH is and what the National Science Foundation is. And you are the man to do it. So we want to try to make it a success.

If Senator Jeffords would like to——

#### OPENING STATEMENT OF SENATOR JEFFORDS

Senator JEFFORDS. Well, you said about everything I wanted to say so I won't go on at length but I am concerned about certain issues which maybe are not research-type but they are existing situations, like, for instance, where are we going to get the talented people in math and science to teach our kids. Right now we have a huge lack of that. Anyone that is any good at that gets stripped off by companies and organizations which are desperate for them. We have now a million H1B young people working in that industry because we cannot produce the necessary math and science kids, young people, whatever. Is that within your jurisdiction? Is that something you do? Or how do we find those answers?

I know I talked to Rick Mills, the head of the New York City school system, and he said that 78 percent of his math teachers are over the age of 55 and how is he going to replace those math teachers in the next few years as they get their pensions? And they obviously are there because they were close to getting their pensions and everybody else went out and got a job at much higher pay in industry. So that is just a few of the little problems we have.

I wonder if you would get into those things or who we can look to, if not, for those kinds of answers. That is not a question; it is a statement.

The CHAIRMAN. Well, we have your whole statement in the record.

Mr. Whitehurst?

#### STATEMENT OF RUSS WHITEHURST, ASSISTANT SECRETARY FOR EDUCATIONAL RESEARCH AND IMPROVEMENT, DEPARTMENT OF EDUCATION

Mr. WHITEHURST. Thank you very much, Senator Kennedy, Senator Jeffords. I am very pleased for the opportunity to testify today.

Mr. Chairman, you may remember that you and I spent a day and a half together in February over at Georgetown University talking about preschool education and I came away from that experience impressed not only with your interest in preschool issues and your willingness to be there on a Saturday morning to talk about them but also your concern with having research evidence inform public policy in that particular arena. I think that is really what the reauthorization of the Research and Statistics Office within the department is all about—having high quality research that is relevant to education policy and encouraging the use of that research in decision-making.

You have mentioned the No Child Left Behind Act and that is very important in what we are doing here. It certainly sent a signal that the Congress as a whole is concerned about research informing policy because by my count, the phrase scientifically-based research appears 110 times in that document. So if scientifically-based research is going to be the key to reform of our most important Federal education programs, I think we had better make sure that we

have research of high quality and relevance that can be utilized by those who are making education decisions and education policy.

I am here to tell you that we have significant gaps in research coverage and quality. Senator Kennedy, you certainly mentioned several of the areas in which we need to know a lot more. Let me focus on simply one, and that is preschool education. We do have a number of longitudinal studies that began 25 or 30 years ago that have indicated that high quality, intensive preschool experiences can have very positive effects on children as they move through school and into life and certainly pay back their investment to society as a whole. And in part based on that research, we have public policy moving toward providing preschool services for all children.

When you look at what States are doing in this area you find that they are making available those services. The State of Georgia is a leader in this area. It has a universal pre-K program that allows providers in that State to choose among seven different nationally available curriculum. But which of those curriculum work? Which work best for what kids, under what circumstances? We simply do not know. We have launched a research agenda this year to try to address that issue. We hope we will be able to do so relatively shortly. But we could sit here all day and I could provide you a long list of such questions that are very important to informing public policy. Where in principle we could address them and provide answers, we simply have not been able to do so so far. We need to do that going forward.

One of the things that has surprised me as I have taken on this job in the last year or so is that even in the absence of research, there is no lack of passion and commitment to particular answers. A lot of education is an evidence-free zone in which people have strong opinions that are not supported by much in the way of data. So we have to have research and we have to have high quality research and we have to convince people to turn to research when they are trying to make important decisions.

We have models. One is medicine. It is interesting that what we know as modern medicine is a relatively recent invention. The first clinical trial in medicine occurs at about the time of World War II. The FDA stepped in to regulate the selling of drugs to the public in the early 1960s and the whole concept of evidence-based medicine, a set of decision-making tools that practitioners can turn to to help them make decisions in the sort of treatment regimens they select for patients, is recent; it occurred in the 1990s.

So the revolution of medicine in the last 50 years suggests that we can do that in other fields, as well, that it does not take as long. And certainly now that we have models to build our work on, I think it will take substantially less than 50 years to get it accomplished in education.

We do badly need the reauthorization of the office I am responsible for. The authorization expired in 1999. We have been moving forward but it is difficult to do so without new legislation. It is a difficult management job. People are not sure what they are doing and what they will be doing next week. It is difficult to hire people. Where would I be? What would I do? It is difficult to push for the

sort of budget changes we need in the absence of a clear statute that will guide us going forward.

As this committee addresses new legislation, there are several things that I think would be important. Let me mention some of them.

We have problems with our administrative structure. We are organized into five internal research institutes, I think modeled on the NIH structure, but they simply have not worked. They interfere with new initiatives. We, for example, launched a new research initiative in reading comprehension this year. Should that be the responsibility of the At-Risk Institute or the Achievement Institute? Or should it be the focus of the Early Childhood Institute? Or because it relates to adult skills, should it be the focus of the Adult Institute? It is very hard to say and yet the strictures associated with our structure prevent us from spending more than 10 percent of our funds on cross-cutting initiatives. So we have a structure here that perhaps made sense when it was established in 1994 but I simply have to tell you it gets in the way of the work that needs to be done.

We think that new legislation should provide for a simple and uncluttered organizational framework. There would be a director who would head the entity that would include at least three centers—one responsible for research, one responsible for statistics, and one responsible for evaluation.

The recent National Research Council report on scientific research in education concluded that building a scientific culture with the department's research agency is really a prerequisite for everything else. I strongly agree with that. In order to do this we need to hire scientists on accepted service positions who can rotate in and out of the agency to bring up-to-date skills and knowledge to the tasks that we have to accomplish and we need to continue the current accepted service authority, which allows us to hire such people for short terms outside the regular civil service. I have found in the five or six people I have been able to hire so far that having the flexibility of accepted service was critical to the recruitment that needed to be done.

One of the problems with the OERI in the past has been lack of stability in leadership. There have been more assistant secretaries and acting assistant secretaries than there have been years of existence of the agency I am responsible for. So I hope in thinking about new legislation the committee will consider ways that would promote continuity in leadership, both at the top and at the middle management level.

The Department of Ed and OERI suffer under a number of regulatory burdens that are unlike those under which our sister agencies—the NIH and NSF—function. For example, to initiate new grant competitions we have to publish in the Federal Register what we intend to do. We have to wait for a period of public comment, revise in light of that. This can add months to the process and moves our competitions to the latter half of any fiscal year. That makes some sense for Department of Education programs that are directed toward the general public or educators but we are writing announcements for the scientific community, so when we do this we find we get little back in the way of public comment. It takes

months and simply slows down and gums up the works considerably.

Also, unlike our sister research agencies, we are not exempt from the Federal Advisory Committee Act as it relates to peer review committees. So whereas the NIH can establish a standing peer review committee in a particular area and have it on-going for a number of months or years, we are unable to have a review committee that meets more than once without chartering it as a Federal advisory committee. We cannot do that because applications typically involve proprietary information. So our committees can meet only once and cannot issue an opinion as a committee as a whole. We need relief from these and other regulatory burdens so that we can operate as the NIH and the NSF do.

Another important issue I think is critically important is to separate the research agency from the responsibility for delivering educational programs and technical assistance. Over the years such activities have been assigned to OERI in increasing numbers to the point that over two-thirds of our budget is directed toward these nonresearch activities. It is very difficult for us to fulfill the role of nonpartisan evaluation of education programs when we are delivering some of the same programs we are supposed to be evaluating. It also produces a lack of concentration on our core task when so many of our administrative activities and time are devoted to these nonresearch activities. It also interferes with establishing a scientific culture within the agency because so many of our personnel have to devote their time to activities that are not research or statistics. We think it is very important to have a close intellectual connection between research and programs and technical assistance but we think there needs to be an operational division between those functions.

Finally in terms of resources, we need adequate resources to support and sustain a cumulative research program in the areas that we are interested in and in which the Congress has interest. The entire research and statistics budget for my agency for fiscal year 2002 is a fraction of 1 percent of the department's discretionary budget. The core research and dissemination budget is only \$122 million.

The university where I worked before I came here, State University of New York at Stonybrook, spends more annually on research than the U.S. Department of Education. One of my friends said it is not that OERI is broken; it is broke. We need sufficient funds to sustain and develop the work that we need to accomplish. I am very pleased that the president is committed to increased funding for education research, has proposed a 44 percent increase for research for the next fiscal year and a 12 percent increase in statistics. We need the support of Congress in making an appropriation that is consistent with this request so that we can move forward on the important work that needs to be done.

I agree with Senator Kennedy that we have here a unique and unparalleled opportunity to begin a process that will make American education an evidence-based field. I think it is possible to get to a tipping point after which people will no longer be satisfied with comments like "We already know what we need to do" or "You've got your data and I've got my data." Rather, we will get

to a point where evidence from research is seen as extremely important and valid in making decisions.

I was cheered to hear a person who deals with a State education agency saying that there had been a dramatic change in her State in the last 10 years. It used to be people came to meetings and they were simply there with opinions and that now the model was "In God we trust; all others bring data." I think we can get to that point and we can get to that point relatively soon and that the learners of American society itself will be the benefit of that.

Thank you very much. I would be pleased to respond to any questions or comments that you have.

The CHAIRMAN. Well, it is a very comprehensive set of recommendations that you have outlined here and you have obviously thought a good deal about this, both the mission and how to get there. I was struck in your testimony about the current statute as well as how the previous administration led OERI to be responsible for a large number of nonresearch programs. You list character education earmarks, funds for the improvement of education, and technology. You also believe it is critically important to separate the research from the responsibility for delivering education and technical assistance.

I think you point out with the number of these programs, that over two-thirds of your budget is devoted to this nonresearch and the impact of those nonresearch programs. How would you best recommend that these programs be dealt with?

Mr. WHITEHURST. I think the programs ought to be associated with their funding statutes and connected with the program offices in the department that are most relevant to the particular services being delivered—character education, as a case in point. We intend to have a robust research program on character education. However, I think the delivery of funds to States to enable them to have character education programs in the school is an Elementary and Secondary Education Office function and would be best placed there. I think all the programs on our list have a home that is more or less natural and it would be appropriate for them to be placed there.

The CHAIRMAN. And we will go over those with you. I think you make a strong argument for that.

What can you tell us about the efforts that we made in to No Child Left Behind? You mentioned that bill references scientific-based or research-based 110 times. Can you give us some kind of idea about how long it will take for research in some of these areas? The department now is busy drafting the regulations on a lot of these areas. We insist on science-based, research-based. We all understand a lot of this has not been done, so what is your sense of the flow line of what you can do and what help you can provide to local communities, to the States, and to us to be able to evaluate it and, I think most importantly work with parents and teachers?

Mr. WHITEHURST. What we have in mind is really a short game and a long game. The short game is to identify those areas in which there are existing programs and practices that are available, they are exportable in the sense that it is not something that has been developed at a particular school and where the ability to carry

it out depends on the wisdom of somebody in that school but it is something that has a manual associated with it or videotapes.

Whenever we can find those sorts of programs associated with significant educational goals, such as those in the Elementary and Secondary Education Act, we are going to evaluate them and find out which ones work best. We think in many cases we can do that in short order—within a year or two—provide data on at least the immediate effects of various education programs.

At the same time we need to understand that the development of education programs depends on a research base, on knowledge and understanding of underlying mechanisms of how people learn and how they best are taught. So we need a long-term agenda that will provide fundamental knowledge that could inform the next generation of educational products and interventions and approaches.

So we have in mind, for example, a long-term research agenda in reading comprehension. We think we have a lot of knowledge with respect to how children learn to read but not much knowledge with regard to how they read to learn once they hit middle school and high school and we think it will take 10 years to generate the sort of fundamental knowledge that would allow the designer of an educational product or program or textbook to take that knowledge and build it in.

So I hope to be able to provide, with the help of the administration, the people in the office, some answers to ESEA questions relatively shortly and then provide fundamental knowledge that will make us able to design better interventions further out.

We also have an effort under way called the What Works Clearinghouse, which will be for the first time a place that people can turn for evidence with respect to educational products and programs and approaches that will not provide a list of accepted programs but simply will provide information on how much research exists, what its quality is and what its direction is. We are not without research in many important areas and we hope that the What Works Clearinghouse will be the major portal to the sort of evidence that is out there that can be usable by parents and educators.

The CHAIRMAN. We would urge the priority in all of these programs. I think one in particular priority is this professional development. All of the aspects reinforce each other; we understand that. But really getting well qualified teachers and getting the professional development they need and delivering it in ways that are going to make the teaching exciting to people should be a priority. But being able to get some information on quality programs could be extremely useful to schools and that is an important priority. A good deal of work has been done but we want to do more. As we look down the road we have the Higher Ed Act, where there will be an important intersect in terms of the training of teachers. We want to try to draw from you the kinds of experience and best practices as we shape the legislation, rather than just sort of following along in the older paths.

I am sure you are aware of this but this is going to be enormously important. In addition we have the IDEA issues that are before us, as well. That is going to be enormously important reau-

thorization. So we have a flow line in terms of what we have a responsibility for and we want to try, to the extent we can, to intersect with OERI. You are going to have to make your own judgments but we want to try and rely on OERI as much as we possibly can.

I am going to welcome Senator Enzi here and we have been joined by Senator Reed. I am going to go to Senator Jeffords and then to Senator Enzi, and Senator Reed is going to chair. They just called me from the floor for a few minutes. Senator Jeffords?

Senator JEFFORDS. It is a pleasure to have you here. I have been waiting for this opportunity because I think there is so much that we need to be able to get that we have not been able to get.

I know that OERI is separate from the National Center for Educational Statistics and that NCES does a great job with limited funds. How can we better coordinate the NCES findings with research conducted by OERI?

Mr. WHITEHURST. That is a very important issue and challenge. I found it a pleasure to work with the staff at NCES. One of the things I have tried to do is get us to focus more as an organization on how we can leverage our investment in research and statistics to get the maximal benefit and to answer a set of questions that are useful not only in terms of indicating the condition of education, which is typically what NCES addresses, but also at the same time to provide answers that will allow us to better understand how to change the condition of education to make it better.

I think an organizational structure in which evaluation, research and statistics are co-equal branches of an overall research agency and where funding decisions, budget preparation and other matters are coordinated among those three centers is likely to produce the sort of direction you are talking about and I think it is very important.

Senator JEFFORDS. Has OERI or will OERI conduct research on the effectiveness of testing as a sole measure of student achievement? And what is OERI currently doing regarding research on early childhood education?

Mr. WHITEHURST. We do not have a research program focussed on the effects of testing only on student achievement. We do understand that the product of a good educational system is much more than a child who can read and write, add and subtract. As you know, there is a large program in character education; I mentioned that previously in my testimony. We would like very much to launch a research agenda in socialization and character education that will focus on the many aspects of progressive through school that we think ultimately are important to academic achievement but are not academic achievement itself.

And I think when we are looking at that broad spectrum of outcomes we will be able to analyze the effects of testing and testing in what on the effects across the board in terms of again the sorts of characteristics we would like for a well educated child to have when that child exits from the public school system.

Senator JEFFORDS. Well, as Senator Kennedy noted, Congress will be reauthorizing the Higher Education Act. Are there any studies on teacher preparation that may be helpful?

Mr. WHITEHURST. This is something that I have been talking about a lot recently. I gave a keynote address at the White House Conference on Professional Development of Teachers and have been going around the country talking on this topic.

There is research there. The research really relates more to selection factors than it does professional development factors. I can tell you based on a lot of large-scale research that has been done, that if you have \$40,000 a year to spend on hiring a new teacher, selecting someone with this characteristic would be a better bet than selecting someone with that characteristic. We have that sort of research.

We have much less research that indicates what is the best form of professional development or preservice training of teachers that addresses a question you raised earlier about how can we best attract the most qualified teachers to schools and keep them there and I think those are issues that we will need to address, both in OERI's research agenda and in other research endeavors by the department and other Federal agencies. It is extremely important.

Senator JEFFORDS. Many teachers and other school personnel are desperate for good information on an array of topics. The labs and the Comprehensive Centers disseminate this information. How can we improve the dissemination process so that it is more useful?

Mr. WHITEHURST. I think it is very important for this committee to address that in the legislation that is being written. In response to a question from staffers on the committee, we are asked to determine what are the various technical assistance entities in the U.S. Department of Education and it actually took us longer to answer that question than I thought that it would because there are so many. I am making up the number now but there were over 20 different entities within the department responsible for providing technical assistance.

I think it must be very difficult if you are a school superintendent and you have a question to which you need an answer to know where to turn. I think one thing that is important to do is to have a simplified, coordinated, clear technical assistance mechanism within the department so that people who have questions know where to turn. It should not have to be that you turn to this agency if you have a question about technology, you turn to this organization if you have a question about professional development of teachers, you turn to this organization if you have a question about assessment. There should be one-stop shopping and I think we need to do that.

Senator JEFFORDS. Under the administration's OERI proposal and the limited funding which OERI has traditionally received, can OERI provide effective research on a vast array of issues, or until there is a legitimate amount of funding should OERI concentrate on two or three areas and do them well, as opposed to trying to do everything with insufficient funds?

Mr. WHITEHURST. We need to focus; there is just no question about that. OERI's agenda in the past has been spread all over the map. There is no denying that every one of the topics addressed is an important topic but I think implicit in your comment is the fact that we cannot do all of those things well.

So we are trying to focus and to focus in areas of great need and high public concern and to do that in such a way that the research that we fund will be of high quality and relevance. So focus is the way to go.

Senator JEFFORDS. Let me give you a pragmatic question. I have followed the TIMS exams over the years and have watched what happens relative to our young people and the world's young people and come out terrible. We start off even in the fourth grade and by the time they graduate we are at the bottom of the heap. It seems fairly easy to be able to identify problems which result in that, not the least of which is the length of the school year and certain obvious things.

Should you answer a broad question like that? Help us understand why we keep having TIMS and why we do not see any improvement.

Mr. WHITEHURST. Yes. We have been having meetings and have funded an outside organization, the RAND Corporation, to advise us on a research agenda in math education and questions such as the ones you have raised would be key to such a research agenda. We need, for example, to understand what goes on in math classrooms of our overseas partners that is different from what goes on in classrooms here and how can that be changed?

We know that we have to address problems such as out-of-field teaching. Middle school students in this country are taught math more than half the time by teachers who have no major or minor in math. It is not the case overseas that students are being taught math by teachers with no training in that field.

So there are a variety of areas here where statistics, comparative studies like TIMS, as well as careful research studies that look at changes in practice and how they affect outcomes can provide, I think, important information in going forward to deal with some of the real problems in math achievement and the drop-off in math achievement over the school years that you have described.

Senator JEFFORDS. Let me go one step further on that one. Would you give us a less perhaps relevant answer, but how do we make sure that the teachers have the basic math and are available and why aren't they now?

Mr. WHITEHURST. We need to understand, I think, what schools may be able to do to structure incentive systems in order to attract people in fields in which there are many employment opportunities outside of school settings. OERI has funded research on compensation systems and will continue to do that. It seems to me that is part of it because in your remarks you have noted that good math teachers leave to work in industry. Well, they leave to work in industry in part, because of pay and in part, because of work conditions. If we could understand how to control those factors to keep math teachers in schools, that would be to everybody's benefit.

Senator JEFFORDS. That is a relevant question for you to answer?

Mr. WHITEHURST. Sure. I think that questions about the structure of compensation systems and the effect they have on the retention of teachers is a very researchable question. I think questions with regard to induction systems for teachers and support systems for teachers are very researchable and relevant. We know that teachers leave the profession in high numbers in the first 5

years. What can we do to keep them there is a question of practice and which practice works best, and that is researchable, yes.

Senator JEFFORDS. Senator Reed, I think you are in charge.

Senator REED. [presiding]. That is a harrowing thought.

I think in that case, Senator Enzi?

#### OPENING STATEMENT OF SENATOR ENZI

Senator ENZI. Thank you, Mr. Chairman. And I would like to thank Senator Kennedy for having this hearing and his staff for working with us on ways that we can get increased research for rural education.

I am from a very rural State. I made a statement before that we have some rules on how far kids can be transported in order to go to school and that results in some schools having two or three kids because we do not like elementary kids to have to travel more than 60 miles before and after school. There is quite a bit of disbelief that there would be any schools that small or kids that far from anybody else but it happens out our way and we are one of seven States that get to join with the help of McCrell in doing some real rural research for ways that education can be done and it makes a tremendous difference to us. Without that help, none of us wind up with enough funds under the formula to be able to do it on our own.

So this hearing is particularly critical to us and I would ask that my full statement be——

Senator REED. Without objection.

[The prepared statement of Senator Enzi follows:]

#### PREPARED STATEMENT OF SENATOR ENZI

Thank you Mr. Chairman. I am pleased to be here this morning to discuss the upcoming reauthorization of the Office of Educational Research and Improvement (OERI).

The issue of educational research has always been important to me because I feel that one of the most important functions of the U.S. Department of Education is to provide quality technical assistance and support to States and local schools as they develop and implement their own individualized academic achievement and improvement measures.

The improved accountability measures and increased focus on student achievement in the No Child Left Behind Act makes educational research even more critical. It is my hope that as this committee moves forward with the reauthorization of the OERI that we can work together to ensure that all federally funded educational research is responsive to the needs of States and local school districts, and is focused on the goal of attaining high levels of academic achievement for all students.

I would like to take this opportunity to talk about one of the most important things that the OERI does for Wyoming, which is provide us with the excellent services of our regional educational laboratory, Mid-continent Research for Education and Learning or McREL. McREL, which serves as the regional education lab for seven States in the central U.S., has been critical in assisting Wyoming in educational reforms that have resulted from a 1995 State

U.S. U.S. Supreme Court ruling. They have also assisted the State in examining strategies to raise student achievement in mathematics and improve teacher quality throughout the region. Most recently, McREL has been of assistance to the State of Wyoming by agreeing to administer their State Challenge Grant for Leadership Development, a \$975,000 grant that was awarded by the Gates Foundation. The grant will be used to assist school superintendents and principals in creating a high achieving, technology rich educational system for all students.

Mr. Chairman, I would ask that a copy of a letter from Wyoming's Superintendent of Public Instruction, Judy Catchpole, detailing the important contribution that McREL has made to my State's educational system be made a part of the record.

As the Senate continues to examine the issue of how to reauthorize the OERI, I hope that we can maintain many of the positive aspects of the House passed legislation, while making sure that regional labs that are performing well under the current system, such as McREL, are allowed to continue their excellent work. It is also my hope that an increased emphasis on the unique needs of rural areas can be included in any Senate legislation that reauthorizes the OERI.

Thank you Mr. Chairman. I appreciate your holding this hearing, and I look forward to continuing to work with you on this issue.

Senator ENZI. I also have a letter from our State superintendent of public instruction and I would like that letter to be part of the record, too, emphasizing the need for these funds.

Senator REED. Without objection.

[The letter follows:]

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*June 20, 2002.*

Hon. MICHAEL B. ENZI,  
U.S. Senate,  
Washington, DC. 20510.

DEAR SENATOR ENZI: I am writing this letter in support of the Mid-continent Research for Education and Learning (McREL) Laboratory. McREL has served a seven-State central region-Colorado, Kansas, Missouri, Nebraska, North Dakota, and Wyoming since 1966. Through its work as the region's educational laboratory and Mid-continent Eisenhower Consortium for Mathematics and Science, McREL works with its constituents to improve the quality of education policy and practice using the application of the best available knowledge from research, development and experience.

As you are aware, Wyoming has been involved in education reform since 1995 due to a Wyoming U.S. U.S. Supreme Court ruling. For the past 8 years, McREL has been a valued partner in our reform process. It has been involved in several activities and projects that have helped move our reform forward.

McREL's work under the "Standards in the Classroom" project is designed to contribute knowledge and resources about standards and their impact on classroom practices. This work has focused on (1) developing a process for evaluating and developing local standards and aligning them with classroom practice, (2) creating and disseminating resources to assist teachers in developing and implementing standards-based curriculum, (3) identifying instructional practices that are effective with diverse students, (4) providing support for educators and policy makers in the development of assessment and accountability systems, and (5) identifying strategies and resources that support students, especially those who struggle to meet standards.

McREL's Mid-continent Eisenhower Regional Consortium for Mathematics and Science has helped to establish the Best in the West Mathematics Alliance (BWMA). BWMA, a group of ten districts from northeast Wyoming which represents 32 percent of the State's student population is examining strategies to raise student

achievement in mathematics on the Wyoming Comprehensive Assessment System (WyCAS).

McREL's work in the area of "Teacher Quality" has been designed to support teacher learning, improve K-12 teaching, and address the region's teacher quality issues. McREL's work has focused on four areas: (1) professional development infrastructure, (2) teacher preparation and licensure, (3) teacher learning, (4) teacher recruitment and retention. McREL not only completed the publication, *Blueprint: Ensuring Quality Teaching and Leadership in Wyoming*, but also provided expert testimony for the Wyoming Legislature related to the blueprint.

McREL's work under "Leadership Capacity Building" has been designed to provide opportunities and materials to assist the Wyoming Department of Education staff and district and building administrators to acquire the leadership skills they need to help create high-performing districts and schools. McREL has also helped in developing and implementing the Bill Gates Leadership Grant. This grant provides Wyoming education leaders with financial resources to develop and deliver critical training.

The activities and projects outlined above give you an idea of the important work that McREL has done in Wyoming. In a small State, our partnership with McREL has helped us make dramatic progress in a short period of time. Our partnership is an example of a regional laboratory providing quality customer service. Because of this service and the hard work of the Wyoming Department of Education staff, we are positioned well to fully implement the "No Child Left Behind" legislation.

If you have questions or need more information, please contact me.

Sincerely,

JUDY CATCHPOLE,  
*Superintendent of Public Instruction.*

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Senator ENZI. Thank you. And with that, I will turn to some questions.

Of course, one of the things that we are particularly interested in in Wyoming is having some technology in the classroom. We use that to communicate between classrooms, some of these isolated classrooms. So far, scientifically-based research seems to have little relevance, particularly with the department. Will there be a time when the U.S. Department of Education will conduct research on technology education to assist the schools in putting that in place?

Mr. WHITEHURST. Yes, indeed. There is a substantial amount of money that is available in ESEA in the national activities account with respect to technology programs to launch a research initiative. And the conversations I have engaged in with respect to that initiative have acknowledge something I think is quite important. That is that the questions that have been asked previously, such as does technology work, are simply too broad and gross to be useful. We know that technology works in the sense that roadways work. You have to have wiring; you have to have computers.

I think we are to a point now where we need to be asking questions about particular applications. Will this application help teachers in a State like Wyoming get the professional development they need to deliver effective reading instruction in the classroom? Will this particular application in classrooms for fourth graders help in the acquisition of math in a way that might be difficult otherwise? And I hope that we will be able to utilize some of the national technology money to address the effectiveness of particular applications of the sort that I have described.

Senator ENZI. I kind of want to divorce the next question from the last one because it is not strictly technology-based, but what role can your office play in turning education into a scientifically based field?

Mr. WHITEHURST. Well, I think we have a critical role to play. We can do that in a number of ways. It can be done within the Department of Education by, to the extent possible, seeing that other program offices utilize the best available research in designing their program announcements and in holding the competitions that are discretionary to deliver funds.

So one of the roles we have is to make sure that the department practices what it preaches, and that is a role I have, to go around to other assistant secretaries and say look, consider this research before you go forward and structure your competition in the following ways.

We can also, I think, provide a very critical function for education decision-makers, whether they are administrators or parents, in making the best available information from good research available in an easily used and understood form so that if you are trying to select a particular approach toward reading you can go and find out what evidence exists with respect to that decision and make your professional decision utilizing that evidence to the extent that you can.

One of the things that chiefs around the country tell me and also school superintendents is that there is not a vendor or product developer who comes through their offices who does not say my research or my product is research-based and scientifically proven and we simply need to provide people the decision aids and the decision tools they need to determine which of those claims is valid and which of those claims is not.

Senator ENZI. Thank you.

Senator REED. Thank you, Senator Enzi.

Let me ask a few questions, Dr. Whitehurst, before I recognize Senator Clinton for her questions and then bring on the next panel.

The strength of our regional education laboratories has been their focus on applied research driven by regional needs—client-based requests for help and assistance—and their ability to reach out to both rural areas and urban centers in these regions. Given the proposed restructuring of OERI under the House legislation, how do you envision that the important work of the regional laboratories will be maintained and strengthened?

Mr. WHITEHURST. I spent the last year getting to know the regional laboratories I think reasonably well. Also, I spent the last year seeing the department struggle with the Herculean task of providing the assistance that States and localities need in carrying out the No Child Left Behind Act. The laboratories, the Comprehensive Regional Assistance Centers, the RTACs, represent the troops on the ground that are necessary to provide the technical assistance that is needed in regions such as yours.

So I think it is vitally important in writing this legislation that there be a consistent, coherent and appropriate approach to technical assistance and regional R&D that serves those needs and serves them better than they have been served in the past.

Senator REED. Thank you, Doctor.

It is my understanding from looking at the House legislation that there would be a separation between the nationally driven research component and the regional research and it seems to me for some of the reasons you indicated in your previous response that there

has to be a closer link, since ultimately, as we envision the system today, the regional labs are the ones that are actually interacting with local school systems.

Can you comment upon this apparent cleavage between the national research agenda and the regional research agendas in the House bill?

Mr. WHITEHURST. I think that the strengths of the regional labs, with exceptions, are not in research. They are in technical assistance. Some of the regional labs are actively involved in developing products and approaches but a fully applied R&D cycle involves developing products and approaches, testing those products and approaches to see the degree to which they work or fail, revising in light of that evidence until the desired goal is reached. I think too much of what goes on in terms of regional R&D is the development of products but not the careful testing and assessment of the effectiveness of those products.

As I have talked to some regional labs, and I do not intend to represent their views collectively, I have been told and I think what I have been told is reasonable, that the regional labs are simply not in a position to attract and retain the personnel who are capable of carrying out high quality applied research. They compete with universities in their region. It is difficult to maintain that sort of personnel.

I think again that the regional labs and the sweet spot for the regional labs is providing the help that schools and States need in getting the job done. That will often be data-driven help, having schools understand, for example, how they can take their assessment system and use it to drive instruction in the classroom and provide information to teachers in real time that will be useful, and those will be very important tasks to be done. I think it needs to be connected again with technical assistance, with providing help. I do not see it primarily as a research job.

Senator REED. Thank you, Doctor.

One final comment, perhaps a question. The emphasis now seems to be on raising the level of resources devoted to research at the national level. It strikes me that even if we are wildly successful we will never have within the Department of Education a huge research operation. So that means we have to depend upon institutions, colleges of education, and graduate schools of education for research, yet it also strikes me that there is not as much research going on in those venues as there should be.

So within this authorization or outside of it, we have to begin to think about how we can encourage more resources for research at universities that can be translated by your department and the labs into practice.

Mr. WHITEHURST. Oh, quite so. And I would point out that with a few exceptions, we do not conduct any research in OERI at all. We simply fund it as it occurs elsewhere. We have proposed in our budget next year a substantial amount of funding to establish interdisciplinary predoctoral and postdoctoral training programs in education sciences. We believe that we need greater capacity and we need to encourage universities and encourage faculty in universities to devote their intellectual effort, time and motivation to the very important issues that face education.

Senator REED. Thank you very much, Dr. Whitehurst.  
Senator Clinton?

Senator CLINTON. Thank you, Senator Reed.

And thank you, Dr. Whitehurst. I appreciate greatly your using your considerable expertise over many years to head this important enterprise within the Department of Education. I know that much of your research was done at SUNY-Stonybrook, which I think is a very nice tribute both to that university and to the intellectual efforts that you have been involved in, particularly with respect to preschool and language development and the development of those cognitive skills early on.

I am concerned about just a few matters because I generally agree with your assessment that we have to do a better job in acquiring research to make decisions and that we need much more technical assistance to disseminate these findings, and assist classroom teachers, principals, parents and others in implementing them.

I am interested in learning more about the House bill. I understand that the administration is not going to put forth its own bill so that Representative Castle's bill, I assume, represents the administration's position. Is that correct?

Mr. WHITEHURST. The administration supported the House bill. It is not our bill. Had we been given a clean sheet of paper it would have had some differences from the House bill but we were, in general, pleased with the House bill and think it is a very positive step forward.

Senator CLINTON. Well, would you advise in detail perhaps in writing what changes you would have made had you started with a clean plate? Because that is our mission here, to make sure that we come out with the best bill possible. And often the Senate will have a different perspective than the House. So I would appreciate your comments.

One of the issues that I am particularly interested in pursuing with additional research is the effect of health and environmental factors on children and their cognitive development. I have become convinced after a number of years of following the research, that we are experiencing increases in learning difficulties and certain conditions like autism, and some of these increases are a result of interactions between environmental health, physical, mental and emotional, and the ability to learn.

During the No Child Left Behind debate I was able to insert two provisions into the legislation to allow us to better understand the link between environmental health in our schools and children's cognitive development. As you may know, some countries have done some interesting research on access to sunlight, for example, and access to fresh air as opposed to reventilated air. It seems to improve both attendance and in some instances, particularly the Canadian research, actually academic achievement.

There is a tremendous backlog of school repairs and we know that hundreds of students in scores of schools in more than 14 States across the country have experienced all kinds of problems. Some of it may be attributed to psychogenic disorders, but some has also been linked to demolition debris, and mold. These factors have yielded respiratory problems, and rashes, and in the legisla-

tion I asked that we study this interaction to try to get a handle on the school environment. The larger environment issues we have to contend with as well, but I thought that within the No Child Left Behind, we should begin to do some research on child environmental health and what happens in school, since children spend so much time there.

The study that was required under the legislation was to be completed by December 31 with recommendations for additional research or action to the Congress. I have sent two letters to Secretary Paige inquiring about the status of the Healthy and High Performance Schools Program, one on April 2, the other on May 8. I also asked Undersecretary Hickok about the status of this program at the committee's April 23 implementation hearing. I still have not received a response and I believe, looking at the organization chart, that OERI is responsible for conducting the study and I am going to ask, Mr. Chairman, if I can put a copy of this letter into the record. It is a letter to Secretary Paige with a copy to Dr. Whitehurst and I would like to leave this for you.

Senator REED. Without objection.

[The letter was not available at press time, however, copies are maintained in the committee file.]

Senator CLINTON. I do hope that I can get a status update on this study and move it into the research agenda because one of the difficulties we are confronting, as we try to unpack the learning challenges that children face, is that not only do we have prenatal influences that we are well aware of, whether it is addiction or fetal alcohol syndrome, but we also have the continuing challenge of lead, mercury and other elements. I believe that any good research agenda has to include these new factors. Maybe they were always there, but they certainly seem to have come to the forefront now and I would very much appreciate a written response to this letter by the end of the week. Then I look forward to working with you in the future as you pursue this very important agenda on behalf of our children. Thank you, Dr. Whitehurst.

Senator REED. Thank you very much, Dr. Whitehurst, for your testimony. We all look forward to working with you in the days ahead as we try to shape this legislation. Thank you very much.

Mr. WHITEHURST. Thank you, Senator Reed.

[The prepared statement of Mr. Whitehurst follows:]

#### PREPARED STATEMENT OF GROVER J. WHITEHURST

Mr. Chairman and Members of the Committee: Thank you for the opportunity to testify before you today regarding the reauthorization of research functions within the Department of Education.

The shared understanding of the Congress and the Administration about the role of research in educational reform was evidenced vividly in the recent reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA). In that bill, passed by overwhelming majorities in both chambers and signed into law by the President on January 8, the phrase scientifically-based research appears 110 times.

Scientifically-based research will also be a component of reform in the upcoming reauthorization of the Individuals with Disabilities Education Act (IDEA). The ESEA and the IDEA account for approximately \$30 billion in annual Federal expenditures within the Department of Education. Mr. Chairman and members of the committee, \$30 billion is a lot of money. We all recognize that, historically, the huge annual investment in the education of disadvantaged students and students with disabilities has not achieved everything that was expected of it. For instance, in the most recent National Assessment of Educational Progress in reading, 40 percent of

white 4th graders read at a proficient level, compared with only 12 percent of African-American students. In some urban school districts that serve predominantly disadvantaged children, 70 percent of 4th graders cannot read at even the basic level. Nothing has changed in the last decade in these statistics, and the overall gap between the highest and lowest performing students has actually increased in some subjects.

If scientifically-based research is going to be the key to reform of our most important Federal education programs, then we had better make sure that the Federal office with the principal responsibility for generating that research has the tools it needs to get the job done. That is what we are here today to address.

In facing that task, I want this committee to understand that we are dealing not only with gaps in student achievement, but also gaps in scientific knowledge. Consider some of the major program areas in the ESEA in which Congress instructed that funding decisions and practice should adhere to scientifically based research. These include the core academic subjects of reading, mathematics, and science, school-wide reform models, early literacy programs in preschools, professional development of teachers, supplementary educational services, education of gifted and talented students, character education, educational technology, and programs for safe and drug-free schools, among others.

We have a substantial and persuasive research base in only one of these topics, learning how to read. However, even within reading, the research becomes substantially thinner when we move down the developmental range from learning to read in early elementary school to getting ready to read in the preschool period, and up the developmental range from learning to read in elementary school to reading to learn, otherwise known as reading comprehension, at later points in schooling. In the other core academic subjects of math and science, research has not progressed to a level at which it is possible to make strong statements about which approaches produce the strongest effects on academic achievement for which children in which circumstances. In the education and professional development of teachers, we don't have research to answer dozens of fundamental policy issues about how to best train and sustain teachers in order to enhance student learning. The ESEA authorizes supplementary educational services, such as after-school tutoring, for children in failing schools. Which tutoring programs work best for which types of academic skill deficits? Sorry, we don't know. How about comprehensive school reform? The ESEA instructs local educational agencies to consider successful external models and to develop an approach to reform of their school that is derived from scientifically based research. By one count, there are well over 100 comprehensive school reform models from which a local educational agency might choose. Which of these are successful? That is hard to say, because only a few have been subjected to research, and much of that research isn't sufficiently rigorous to permit strong conclusions about the effects of the models compared to business as usual, much less compared to each other.

My point, and I apologize for making it repetitiously, is that there is a lot we don't know about how learners learn and how to deliver instruction effectively.

The extent of our ignorance is masked by a "folk wisdom" of education based on the experience of human beings over the millennia in passing information and skills from one generation to the next. This folk wisdom employs unsystematic techniques. It doesn't demand scientific knowledge of mechanisms of learning or organizational principles or social processes. It is inefficient, and it is hit or miss. It lets us muddle through when the tasks to be learned are simple, or in a highly elitist system in which we only expect those with the most talent and most cultural support to learn advanced skills. But it fails when the tasks to be learned are complex or when we expect that no child will be left behind. The tasks to be learned in a 21st century economy are without a doubt complex, and we have rightly decided that our education system must serve all learners well. We have to do better than we have done in the past.

Consider the analogy of medicine. For thousands of years, folk remedies have been used to cure disease or relieve symptoms. But the successes of modern medicine have emerged in the last 75 years and derive from advances in the sciences of physiology and biochemistry that allowed us to understand the mechanisms of disease, and from the wide use of randomized clinical trials to determine which prevention and treatment approaches drawn from these sciences work as intended.

Or consider the analogy of agriculture. For thousands of years, humans barely managed to avoid starvation by using agricultural methods that were passed from generation to generation. The abundance of inexpensive and nutritious foods that can be found at any neighborhood grocery store today results from agricultural practice that has moved from reliance on folk wisdom to reliance on science.

When we come to education, the picture is different. The National Research Council has concluded that “the world of education, unlike defense, health care, or industrial production, does not rest on a strong research base. In no other field are personal experience and ideology so frequently relied on to make policy choices, and in no other field is the research base so inadequate and little used.” At the same time, the National Research Council has concluded that scientific inquiry in education is at its core the same as in all other fields. In other words, the core principles of scientific inquiry are as relevant for education as they are for medicine. There is every reason to believe that, if we invest in the education sciences and develop mechanisms to encourage evidence-based practice, we will see progress and transformation in education of the same order of magnitude as we have seen in medicine and agriculture. I believe we are at the dawn of exactly that process, and it is very exciting.

How quickly will the transformation of education into an evidence-based field occur? The actions of this committee and the Congress as it considers the reauthorization of the research functions in the Department of Education will have a lot to do with the answer to that question.

A number of significant changes are necessary so that we can operate consistently with the standards of a science-based research agency and so that the research, evaluation, and statistical activities we fund lead to solving problems and answering questions of high relevance to education policy.

Before assuming my current position, I spent 31 years conducting research on children’s learning. I am proud to say that some of that research has proven useful to educators and parents. For the last 15 months, I have focused exclusively on OERI, first as a consultant to the Department, and since July of last year as Assistant Secretary for Research and Improvement. My testimony today is informed both by my background as a practicing scientist and by my experiences to date in leading OERI.

I believe that we have made substantial progress in OERI over the last year. To be specific, we have launched three major new cross-cutting research initiatives—in reading comprehension, preschool curriculum, and learning in the classroom; we have hired a number of key personnel, we have brought the responsibility for the evaluation of the impact of Federal education programs into OERI and have designed a new generation of evaluations that will use scientifically rigorous randomized trials to provide definitive evidence of what works and what doesn’t; we have helped the Department move toward a greater reliance on evidence in its delivery of programs; we have implemented new procedures for peer review of applications for research funding that are modeled on those used at the National Institutes of Health (NIH) and that are working very well to help us select only the very best proposals for funding; we have established a What Works Clearinghouse, which will vet the evidence from research on education and make it available to decision-makers in easily understood forms; and we have put forward to the Congress as part of the President’s fiscal year 2003 budget request an unprecedented and badly needed 44 percent increase in funding for our research functions and a 12 percent increase in funding for our statistics functions. I believe we have also created a positive buzz in the research community about the new OERI that helps us attract strong applications and that enhances the participation of distinguished scientists in our planning and review processes.

If you are willing to take my description of these successes at face value, you might be tempted to draw the conclusion that the current OERI statute doesn’t need fixing. Why not report out of this committee a bill that is pretty much the same as current law?

Let me tell you why not: A lot of what we have accomplished in the last year has been much more difficult than it should have been because of the current statute. Further, I have been operating with a remarkable degree of support from within the Department, the Administration, and Congress, and from many non-Federal organizations that are eager to see the Federal education research agency revitalized. Appreciative as I am for that support, it is natural for enthusiasms to wax and wane. Further, I’m quite concerned that the alternative to progress will be backsliding and entropy rather than the status quo. We need an authorizing statute under which the Department’s research agency can develop and sustain a cumulative research program, and we need it this year.

Here are some major problems in the current statute that should be corrected in reauthorization.

### **Organizational Structure**

*Institutes.* OERI is currently divided into four principal operational arms: (1) the National Center for Education Statistics, which conducts surveys and assessments to determine the condition of education; (2) the Office of Reform Assistance and Dis-

semination, which monitors ten regional educational laboratories and administers a large number of programs funded under the ESEA, (3) the National Library of Education, which manages a physical library in the Department of Education as well as an electronic repository of documents in education called the Educational Resources Information Clearinghouse; and (4) the National Research Institutes, which are five administrative units that manage research centers at universities and field-initiated grants to individual researchers.

This administrative structure is seriously problematic. The five national research institutes have overlapping responsibilities, redundant personnel functions, and statutory restrictions on funding that do not permit the agency to pursue a focused agenda or to support significant programs of research. To be specific, the statute requires that an equal amount of the funds appropriated for research be made available to the Achievement and Assessment Institute and the At-Risk Institute; that each of the five national research institutes use at least one-third of its share of the research appropriation to fund university-based research and development centers and at least one-fourth to fund field-initiated research (the statute does not permit the agency to specify even broad topic areas for field-initiated research—individual investigators choose both the topics and methods of study); and that not more than 10 percent of the total research appropriation (and not more than 33 percent of the share for any particular institute) be used to fund cross-cutting research. Cross-cutting research is research that is germane to more than one institute and may be carried out jointly by two or more institutes, or by one or more institutes jointly with other offices in the Department or other agencies within the Federal Government.

Each of the initiatives we have launched this year is cross-cutting. Take our new program of research in reading comprehension as an example. Should this be the responsibility of the At-Risk Institute or the Achievement and Assessment Institute? And isn't it also an initiative of relevance to the Early Childhood Institute and the Postsecondary and Adult Learning Institute? It is difficult to assemble staff outside the Institute structure to focus on cross-cutting issues. And, most critically, we have only been able to move ahead with our new programs based on bill language in our appropriations statute that exempts the funds for new initiatives from the statutory requirements for apportioning funds under the institute structure. The appropriators have done this since our statute expired in 1999 based on the assumption that these funding strictures would be removed in reauthorization. I hope their assumption was correct, because it would be impossible to do the new work that needs to be done under current law.

*Centers.* Another facet of this same problem lies in the current requirement that at least one-third of institute funding go to research and development centers located at universities around the Nation. Centers are the major mechanism by which OERI supported research prior to my arrival. Currently, there are 11 R&D centers. Several have been funded for over 15 years. Some of the centers have performed well and the center mechanism is one we intend to continue to use. However, centers have failed as the principal mechanism of supporting field-based research. Why? First, an effective center needs to have scientists who work closely together and interact frequently with the goal of solving a particular problem or closely connected set of problems. Too many of our centers end up being mail drops that serve scholars scattered across the Nation.

Center support is parceled out to these scientists for individual projects that are only loosely connected to each other, if connected at all, and the goal of the work—the point at which success could be declared—is undefined. In effect, such centers become intermediate funding agencies. We give them money, and then they give it to other people under conditions that are much less competitive, much less strategic, and involve much more overhead than would be the case if we skipped the center mechanism entirely and parceled out the money ourselves. Second, centers as the sole mechanism of support freeze out all those researchers who could be doing important work but aren't part of the club. In the recent history of Federal funding of education research, if you were not connected with a center you had scant prospects of continuous funding for a serious program of research. We need much more capacity in the education research community than we currently enjoy. To get there, we need to open up our funding process to all interested and competent parties, including those who are not a part of the existing education research community and center structure.

### **Creating a Culture of Science**

The recent National Research Council report on scientific research in education concluded that building a scientific culture within the Department's research agency is a prerequisite for all else. This is my view as well. It is very important to under-

stand that successful research agencies, such as the NIH, embody a scientific culture because the people in the principal program management roles share the dispositions and training that characterize scientists. It is this shared culture, much more than statutes, rules, and regulations, that supports high-quality research. My experience in trying to increase the number of qualified scientists at OERI highlights the importance of our excepted service authority, which allows us to hire scientists for limited terms outside the regular civil service. OERI has had this authority for its entire existence, as do our sister research agencies. It is critical that it be continued so that we can rotate scientists through the agency for limited terms and under flexible conditions.

Building a scientific culture at the Department's research agency also requires stability in leadership and the shared sense that the organization can pursue its agenda over the long-term.

### **Regulatory Burdens**

The Department of Education is required, by section 437 of the General Education Provisions Act, to take public comment on priorities for grant competitions before funding announcements can be published. This can add up to 6 months to the time necessary to make grants, and can push our grant-making into the final half to third of each fiscal year. The provision makes sense in Education for programs that deliver funding to State and local educational agencies where broad areas of the public may have an immediate stake in the funding program and be motivated to comment. However, our funding announcements are technical documents directed to scientists. The period for public comment required under rulemaking has historically generated very little in the way of comment. Letting us use the same exemption that the NSF and the NIH use would have no downside that I have identified, and would allow us to be much quicker on our feet in getting funding out the door.

Another regulator burden is the possible application of the Federal Advisory Committee Act (FACA). Our Office of General Counsel has informally advised that OERI may be subject to FACA for the purposes of peer review if a panel that has fixed membership, meets regularly and advises me or the Secretary. Such a panel would have to be chartered as a Federal advisory committee. Because applications for funding for scientific projects often include proprietary and privileged information and because FACA requires open committee meetings, we do not want to charter our peer review panels as Federal advisory committees. As a result, historically OERI has not had standing peer review committees. Further, when peer review panels meet just once they cannot provide a summary judgment on the quality of applications. Standing review panels are an important tool in the competitive funding process in a science agency. It is critical that we be exempted from FACA for peer review committees.

### **Budget Flexibility**

We need more flexibility in authorization and appropriations. When there are separate authorizations for particular, narrow components of our work, there are two predictable consequences. The first is that we are not able to move quickly into a new area of activity that is important. The second is increased pressure to fund work of lower than desirable quality so that we do not have to lapse funds. It would be very helpful if legislation gave us the flexibility to direct funds among program areas in response to project quality and national needs.

### **Nonpartisanship**

The research activities within the Department have sometimes been seen by the outside community and Congress as more subject to political involvement than would be the case for research conducted by the NIH or the NSF. Regardless of the accuracy of that view, the perception that politics is driving research needs to be avoided if we expect the Department's research activities to have the force of scientific findings.

There are a number of ways that legislation could increase the perception and reality of nonpartisanship of the research process. A consolidated budget would help because it would isolate the agency's budget for personnel and supplies from the core Department budget for those items. An agency staffed predominantly by scientists, who are committed by virtue of their training to the integrity of the research process, will contribute significantly to the goals of nonpartisanship and objectivity. Placing the responsibility for evaluation of Federal education programs in a center for evaluation within the agency will provide useful distance between the program evaluation and program management functions within the Department.

Research, statistics, and evaluation activities need to be based on sound science and be independent of undue partisan influence. We look forward to working with the Committee toward legislation that supports that goal.

### **Separation of Research and Program Delivery Functions**

Our current statute, as well as previous administrative decisions, have led OERI to be responsible for a large number of nonresearch programs. These include a number of ESEA programs such as character education, a large number of earmarks through the Fund for the Improvement of Education (FIE), technology programs such as Star Schools, and the regional education labs. We believe it is critically important to separate the research agency from the responsibility of delivering educational programs and technical assistance. Over the years, those activities have been assigned to OERI in increasing numbers to the point that over two-thirds of our budget is devoted to nonresearch programs. The agency responsible for evaluating program effectiveness and upholding high standards of evidence cannot fulfill its role if it is directly delivering the very educational programs and technical assistance that it is supposed to evaluate. Further, the culture of science that is so important to establish within the agency is impeded when we need so many staff to engage in activities such as monitoring FIE earmarks that do not require scientific training. Also, far too much of my and my senior staffs time has to be spent in overseeing these nonresearch activities. We need a solid intellectual connection between scientific research and technical assistance, but in keeping With the recent National Research Council report on scientific research in education. We believe it is very important to keep these types of activity operationally distinct.

### **The Regional Educational Laboratories**

A very important instance of this general theme has to do with the role and function of the regional labs. I have spent considerable time over the last year getting to know the labs and their work. It is a mixed picture. Some of the labs do work that is considered quite valuable by their customers. Other labs are weaker in the quality and value of the work they conduct. So, one issue with the labs is this substantial variability in quality and relevance. A second issue is defining their core function. Is it applied research and development or is it technical assistance? Applied R&D in any field, including education, means the development of products that are intended to address needs and then doing research on their effectiveness until a final product is developed that successfully addresses the problem it was designed to solve. Some of the labs are actively involved in developing products and programs. Others develop few products. However, even for those labs that do a lot of product development, the research half of the R&D process usually gets short shrift. None of the lab products I have examined has gone through the cycle of development, research-based evaluation, and revision that constitutes the full R&D cycle. Instead, the products are developed and put into the field. Whether they work, or how well they work, is never assessed in a rigorous way. From my perspective, we do not need to use Federal funds to sponsor the development and dissemination of unproven educational materials and products. Education is plagued with that from the commercial and nonprofit sectors. We don't need to support the expansion of the large evidence-free zone that already exists in education through the regional lab structure.

The labs have a unique and critical role to play in regional technical assistance. The No Child Left Behind Act imposes a new and challenging set of requirements on State and local educational agencies. States and schools need a lot of help in designing and implementing assessment and accountability systems, in training teachers in how to teach reading and math, in selecting curriculum and aligning it with State standards, in recruiting and retaining highly qualified staff, and so on. The Department has been engaged in a Herculean effort to help States and schools understand and implement the new law through a wide variety of meetings, workshops, printed materials, and web sites. However, the Department has few troops on the ground to provide the follow-up and local assistance that educational agencies will need when the unavoidable problems and questions arise. The labs represent a resource for that assistance that could be extremely valuable if focused and aligned with the implementation requirements of NCLB and other Federal programs, and if driven by the expressed needs of the State and local educational agencies within a region. The Department's research agency is not the organizational component that should be overseeing regional technical assistance, but it will be important to write legislation that takes advantage of the labs' presence and expertise in each region to provide technical assistance that meets local needs and that structures the labs functions so that the unevenness in the quality and relevance of their work is addressed.

### **Funding**

The entire research and statistics budget of OERI for fiscal year 2002 is less than ½ of 1 percent of the Department's discretionary budget. The core research and dis-

semination budget for 2002, leaving out statistics, is only \$122 million. The education research agency needs adequate resources in order to support a sustained and cumulative research effort in its areas of responsibility. I am very pleased that the President is committed to investments in education research. Accordingly, he has proposed a 44 percent increase for fiscal year 2003 in our core research budget and 12 percent in our statistics budget. This is an unprecedented increase. We need the support of Congress in making an appropriation consistent with the President's request so that we can move forward on the important work that needs to be done.

In an effort as large, complex, and important as this, informed, well-intentioned individuals and groups will differ on details. Let us talk about those details and compromise on those that seem to represent different routes to the same goal. However, we cannot and should not compromise on the end points. We need an invigorated agency that is capable of carrying out a coordinated, focused agenda of high-quality research, statistics, and evaluation that is relevant to the educational challenges of the Nation, and that has sufficient flexibility to adjust to new opportunities and problems when they arise. This is a unique and unparalleled opportunity to begin a process that will make American education an evidence-based field. If we succeed in this task, historians may look back at our actions in the next weeks and months as building the foundation for a new era in learning and teaching, an era that propelled the U.S. into another century of preeminence.

Thank you again for this opportunity to testify.

Senator REED. Now let me call up the second panel, please.

Senator CLINTON. May I have the courtesy, Senator Reed?

Senator REED. Absolutely, Senator Clinton.

Senator CLINTON. I have the pleasure to introduce Professor LaMar Miller, who is here today from New York University's Metropolitan Center for Urban Education, where he is the executive director of the Metro Center in the School of Education. Under his direction the Metro Center works to provide assistance and services to underserved populations, including children with disabilities, with other disadvantages such as—low income, and limited English proficiency.

He is also the principal director of the New York Technical Assistance Center, one of the centers authorized by OERI, and he conducts and disseminates research in that capacity. He has authored and edited numerous publications and we are so delighted that he could be here with us because he has a wealth of experience and a real commitment to the underserved children who are often overlooked in a lot of what we are doing.

So thank you, Senator, for letting me say a few words for the home team here.

Senator REED. Thank you very much, Senator Clinton.

Now let me turn to Senator Frist, who would like to introduce our witness from Tennessee.

Senator FRIST. Thank you, Mr. Chairman.

Mr. Chairman, I am proud to introduce the next witness on this panel from my home State of Tennessee, Commissioner of Education Faye Taylor. Commissioner Taylor has been on the very front lines of education, fighting for Tennessee's children for the past 30 years.

She has served as a classroom teacher, a reading resource teacher, a Title I teacher, a principal, a supervisor, and the director of elementary education and curriculum development for the State Department of Education. She currently serves on the board for the University of Tennessee, the Tennessee Board of Regents, Accountability Works, Incorporated, Tennessee Tomorrow, and the State Workforce Development Board. She also serves as the secretary-treasurer for the Education Leaders Council, as co-chair of the Ten-

nessee P-16 Council, and as a member of the Early Periodic Screening Diagnosis Treatment Commissioner's Task Force.

Miss Taylor graduated with honors from Middle Tennessee State University and holds endorsements in both elementary and secondary education. She earned a masters and an education specialist degree in administration and supervision from Austin Peay State University and has completed course work toward a doctorate at Tennessee State University.

Most recently, Miss Taylor has been working tirelessly to assure passage of charter school legislation within the Tennessee State legislature. Just last week the State Senate voted 30 to 1 in favor of charter school legislation. Largely due to her leadership, for the first time in 10 years, both State legislative chambers have approved a bill allowing charter schools.

Commissioner Taylor, I want to personally thank you for taking time out of your extremely chaotic schedule to share your knowledge, your hands-on experience with the Senate Health, Education, Labor and Pension Committee. Your testimony will be greatly appreciated.

Senator REED. Thank you very much, Senator Frist.

It is now my pleasure to introduce Dr. Michael Nettles. Dr. Nettles has been professor of Education at the University of Michigan since 1992 and is a prominent policy researcher on educational assessment, student performance and achievement, educational equity and higher education finance policy. Also a widely published researcher in education, he currently is the vice-chair of the National Assessment Governing Board and I am very interested to hear your testimony on the necessity for viable and reliable educational testing.

Senator REED. Thank you all for being here and Dr. Nettles, if you would please begin.

**STATEMENTS OF MICHAEL NETTLES, VICE-CHAIR, NATIONAL ASSISTANT GOVERNING BOARD; LAMAR MILLER, DIRECTOR, THE COMPREHENSIVE CENTERS; AND FAYE TAYLOR, COMMISSIONER OF EDUCATION, TENNESSEE DEPARTMENT OF EDUCATION**

Mr. NETTLES. Thank you very much, Senator Reed. I am really pleased and honored to be before the committee to testify on the reauthorization of NAEP and NAGB. I will not be addressing OERI generally except to the extent that it relates to NAEP.

As you mentioned, Senator, I am vice-chair of the National Assessment Governing Board and a professor at the University of Michigan, father of three young daughters and I am personally and professionally interested in the quality of education in the country.

I was originally appointed by Lamar Alexander when he was secretary of education to be on the National Assessment Governing Board and reappointed by Secretary Riley. I am a native Tennessean, as well, Senator Frist, and have my baccalaureate degree from the University of Tennessee, grew up in Nashville.

No Child Left Behind is an important new act, new law for the country. Through the leadership of President Bush and the Congress, the No Child Left Behind makes education a really high domestic priority for our country. It has been observed that too few

of our students read and write and compute well enough. Now we have a really clear goal that all children will achieve at high levels regardless of economic status, race, ethnicity, disability or limited English proficiency.

Tracking the progress of children in the country is a really essential and important part of No Child Left Behind and NAEP, the National Assessment of Educational Progress, has been designated to serve in a prominent role in this new law. NAEP has been expanded as a consequence of No Child Left Behind. In 2003 and every year thereafter every State must participate in the National Assessment of Educational Progress in grades four and eight in reading and mathematics as a condition for receiving Title I funding. The public confidence and trust and credibility and independence of the National Assessment of Educational Progress and its objectivity and independence has never been more important.

The NAEP results are the only source of comparable State data for the 50 States. NAEP reports, the National Assessment of Educational Progress reports, will receive greater scrutiny and attention as a consequence of this new role. The public confidence in No Child Left Behind is partly dependent upon its confidence in the objectivity of NAEP. Will the data be objective and who will be accountable to the public for the results of the assessments? Are there sufficient safeguards to resist political pressure to show improvements in the National Assessment of Educational Progress? These are critical questions that I think are before this committee as it moves forward in this reauthorization.

The solution here, we think, is to renew and strengthen the independence of NAEP in the governance of the National Assessment of Educational Progress by transferring operational responsibility for the NAEP to the National Assessment Governing Board.

NAEP has had a long history in the country, about 32 years, 33 years now, and it has been through three distinctive periods. The first period was from 1969 to about 1988. During that period the NAEP was administered through a grant from the Department of Education through the National Center for Education Statistics, first to the education commission of the States and then to the Educational Testing Service.

After a national commission that was headed by Lamar Alexander and distinguished educator James, Secretary Bennett recommended and this committee approved the establishment of the National Assessment Governing Board to set policy for NAEP. That has represented the second era and has been the last 14 years. We view the No Child Left Behind bringing the national assessment into yet a third major critical era of expansion and we think that it calls for an alteration and change in the governance structure.

NAEP is in a unique position because it has the greatest visibility among the assessment programs in the country and will be looked upon by the citizens of the country as a measurement against which State assessments will be gauged. We think that this calls for NAEP to have greater independence to establish its own credibility.

This is not a new idea. This was first suggested in 1994 by the Congressional Research Service. It has also been written into sev-

eral subcommittee laws that never have been passed but have been mentioned before.

The board itself has distinguished composition. There are two governors on the board of NAGB. Governor Kempthorne and Governor Musgrove are on the board. There are two legislators. We sometimes think of it as the Noah's arc of governing boards. It has almost two of everything—superintendents and principals and distinguished teachers. We even have the most recent teacher of the year, Marlin Whirry, on our board.

The current board is appointed by the secretary of education but beyond that, the board has great independence to operate. There is, however, a great deal of shared ambiguity between the policy-setting aspect of the board and the operations of the National Assessment. The National Assessment is administered by the National Center for Education Statistics and the policy board, NAGB, sets policy for it.

Now there are no legislative requirements that NCES follow board policy and this very often relies upon the personalities that are in office to succeed in functioning. We have been quite successful but there have been times in which we have recognized that like any board of directors, the National Assessment Governing Board has needed to have responsibility and authority for the CEO.

Senator, we think that the assistant secretary has made a very important point in distinguishing between research and the operations as a critical point and we view the National Assessment of Educational Progress as an operational activity, not a research activity. We need to have independence to be able to rely upon the best research, whether it is conducted and funded by the Department of Education or conducted and funded independently, and that is another reason why we think that this should happen.

I am not going to address the specific aspects of the House bill. I would be happy to entertain questions about it in the conversation that we may have afterwards. I will just conclude with the central point; that is that we believe that the new demands on the National Assessment of Educational Progress requires that it have greater independence and we would like to suggest that probably the best way for that to happen is for you to transfer the operational responsibilities for the National Assessment to the National Assessment Governing Board. Thank you.

Senator REED. Thank you very much, Dr. Nettles.

[The prepared statement of Mr. Nettles follows:]

#### PREPARED STATEMENT OF MICHAEL NETTLES

Good morning, Mr. Chairman and Members of the Committee. I am pleased to be testifying before you today on the reauthorization of the National Assessment of Educational Progress (NAEP) and the National Assessment Governing Board.

My name is Michael Nettles. I am Vice-Chairman of the National Assessment Governing Board and a professor of education at the University of Michigan. As the father of three young daughters, I have a personal interest in the quality of education.

This is a critical time for our Nation's schools. Too few of our students read, write, and compute well enough. Through the leadership of the President and Congress in enacting the No Child Left Behind Act, education was made our highest domestic priority.

There is widespread commitment to reach the vision of No Child Left Behind—all children achieving at high levels of proficiency regardless of economic status,

race, ethnicity, disability, or limited English proficiency. And there is consensus that we must regularly track our progress toward this essential goal.

The need for valid, reliable, credible information on student achievement has never been greater than it is today. The No Child Left Behind Act calls on the National Assessment to fulfill this need in a new and expanded manner. For thirty-three years, the National Assessment has monitored national student achievement at grades 4, 8, and 12 (and ages 9, 13, and 17) in key subjects, including reading, writing, mathematics, and science. On a voluntary basis beginning in 1990, NAEP allowed States to receive their own results. Under No Child Left Behind, starting in 2003, States must participate in NAEP reading and mathematics assessments in grades 4 and 8 every other year as a condition of receiving Title I funds. Now, not some States, but every State will be participating in the National Assessment.

As the only source of student achievement data that can be compared across States, National Assessment results undoubtedly will receive much attention when its reports are released to the American public. However, greater attention to National Assessment results brings with it ever higher expectations for public credibility.

As recent experience of the States has shown, loss of public confidence in the tests used to measure results is one of the greatest threats to achieving higher standards for all students. If fault is found with the tests, the public loses faith in the schools' ability to achieve the standards. Clearly, public confidence in No Child Left Behind will be partially dependent upon the public's trust in the National Assessment.

NAEP results will be subject to intense scrutiny when the reading and mathematics data under No Child Left Behind are released beginning in 2003. This is because they will serve as a point of comparison with the States' performance on their own tests. Will the data be pure and apolitical or will they be fudged? Are the safeguards currently in place for NAEP's integrity sufficient to resist intense pressure to show "improved" achievement? Public credibility of the NAEP results will be inextricably tied to the perception that NAEP is independent, free of external manipulation or political entanglements. Now is the time to renew and strengthen the independence of NAEP and its governance.

My testimony today is limited specifically to NAEP and the Governing Board. I will not be addressing broader issues related to the structure or functions of the Office of Educational Research and Improvement, except to the extent that they may affect the National Assessment.

After providing some background about the National Assessment and its increasingly complex and consequential role, my testimony will address the following themes:

- The impact of No Child Left Behind on the National Assessment
- The importance of NAEP's independence
- The implications for legislation

### **Background**

Mr. Chairman, since 1969, the National Assessment of Educational Progress, sometimes referred to as NAEP or the Nation's Report Card, has been our only continuing source of national information on U.S. student achievement at the elementary and secondary levels. The National Assessment is widely praised for its quality and noted for its integrity.

In 1988, with your leadership, the participation then of Committee Members Senator Dodd, Senator Mikulski, and then Representative Jeffords, widespread bipartisan support, and the support of the Reagan Administration, the National Assessment was expanded to allow for the reporting—for the first time in NAEP's history—of State level results. With the encouragement of the Department of Education, headed by Secretary William Bennett, Congress established the National Assessment Governing Board, a citizen body independent of the Department of Education, to oversee and set policy for NAEP.

Your bill to expand and restructure the National Assessment, S. 1700, was introduced on September 17, 1987, only 9 months after the release of the recommendations of the Study Group on the Nation's Report Card. The twenty-two member Study Group was commissioned by Secretary Bennett, chaired by Governor Lamar Alexander, co-chaired by distinguished educator Thomas James, and included Senator Clinton, then First Lady of Arkansas. Mr. Chairman, your bill became a part of the Hawkins-Stafford Act, approved almost unanimously in both chambers, and signed by President Reagan on April 28, 1988. Clearly, the changes to the National Assessment were made on a bipartisan basis and bipartisan consensus continues to be a hallmark of the National Assessment.

The Study Group recommendations for the National Assessment followed the release of "A Nation at Risk," the report that called for high standards and account-

ability in education on the one hand, while frustrated State policymakers on the other, were faced with the paucity of information and lack of comparability of student achievement data across States. In recommending a sea change in the National Assessment—the conduct of regular State assessments—the Study Group was keenly aware of the desire for such information on the part of governors and chief State school officers and foresaw the importance of the independence of the National Assessment and its governance as a consequence of this expansion of NAEP's role.

“The governance and policy direction of the national assessment should be furnished by a broadly representative [body] that provides wisdom, stability, and continuity; that is charged with meshing the assessment needs of States and localities with those of the nation; that is accountable to the public—and to the Federal Government—for stewardship of this important activity; but that is itself buffered from manipulation by any individual, level of government, or special interest within the field of education.” (*The Nation's Report Card*, page 8.)

Mr. Chairman, the independence of the National Assessment was important in 1988. It is doubly important now, with the passage of the No Child Left Behind Act of 2001. Recent painful experience in the business world reminds us how important true independence is for the integrity of an audit-like function. Whether reporting profits to shareholders or a portrait of student achievement to the public, data will be trusted if perceived as independently produced, free of conflicting interests, and safeguarded from manipulation. No Child Left Behind requires all States to participate in the National Assessment every 2 years, beginning in 2003. It is essential that NAEP be valid, reliable, and credible, in reality and in public perception. I will return to the connection between public credibility and an independent National Assessment later in my testimony.

#### **NAEP's Usefulness**

I am a long-time fan of the National Assessment. The late Albert Shanker called it a treasure for our Nation. He was correct. The National Assessment is our only continuing source of credible student achievement information at the national level and one of the most important sources for State leaders on the educational outcomes from the collective \$400 billion annual investment in student learning.

NAEP was once little known except to a small number of educational researchers. Today, National Assessment data are widely used by national and State policymakers. Although NAEP uses the best research about testing, the National Assessment itself is not a research activity. NAEP is a fully operational assessment program, with a schedule of assessments set through the year 2012 and periodic reports to the American public on what our students know and can do in a range of important subjects.

National Assessment results are regularly front-page news. National Assessment results are frequently quoted by Members of Congress. Forty States or more, on a voluntary basis, have been using the National Assessment to track their progress over time, to validate their own State test results, to examine their academic standards, and to compare their performance with other States.

State-by-state comparisons can be done using the National Assessment that cannot be done with any other test or source of information. State tests are not comparable because the content of State tests, the grades tested, and the test administration procedures are as varied as the States themselves. Thus, State test results cannot be “added up” to get a national result. Other well-established tests, such as those used for college admissions, cannot provide state-by-state or nationally representative results because they are taken by a nonrandom subset of the population, not by a scientifically drawn sample that validly represents the Nation or a particular State. On the other hand, NAEP's samples are nationally and State-representative.

Others use National Assessment data, too. The National Assessment figured prominently in the annual reports of the National Education Goals Panel. Education Week relies heavily on the National Assessment in its annual publication “Education Counts.” Governors, State legislators, and chief State school officers depend on and want more National Assessment State-level results.

Not just NAEP data, but other products and services are widely used by teachers, curriculum specialists, parents, administrators and the public. The Governing Board has distributed, upon request, thousands of copies of NAEP test frameworks—the test blueprint that describes the content and construction of the assessment for each subject. Hundreds of test questions have been released to the public and can be downloaded from the NAEP website. There even is an easy to use tool that permits the public to analyze NAEP data online. NAEP data, products, and services are easily accessible to those who wish to use them, and many do.

### **NAEP's Integrity and Independence**

The National Assessment is in demand because it occupies a unique place among the many varied testing programs in the U.S. It is the only source of state-comparable results. Its data are trusted. Its policy setting and operations are conducted in the sunlight. Its credibility and integrity have been established the old-fashioned way. They have been earned over three decades.

Unique position, trust, credibility, integrity—these positive attributes make the National Assessment attractive for monitoring education achievement. Undoubtedly, these attributes of the National Assessment figured prominently in the major role assigned it by the No Child Left Behind Act.

However, with the National Assessment's heightened visibility will come new pressures and challenges. The issue is that the more important the results, the greater the political attention to NAEP and, consequently, the greater the need to provide a buffer from "political spin" and partisan politics. Although this may sound "academic" or theoretical now, it will become very real in 2003 and 2005 when the first rounds of National Assessment State results are released. It is difficult to overstate for the coming decade the importance of this valid, reliable, credible measure for educational improvement. This demands a National Assessment that is independent and unfettered by entanglements with partisan politics or special interests. A way to achieve this independence is to assign operational responsibility for the NAEP program to the citizen Board that now oversees and sets policy for it—the National Assessment Governing Board.

Later in my testimony, I will describe NAEP-related roles and responsibilities in more detail. For now, I will just explain it as a bifurcated arrangement in which the Governing Board sets policy for NAEP and the Commissioner and staff of the National Center for Education Statistics administer the NAEP program operations. Administering program operations includes overseeing contractors who prepare test booklets, administer the tests, analyze the data, and draft the reports.

Assigning NAEP's program operations to the Governing Board increases the independence of the National Assessment by removing it several steps from political control and putting it in the hands of citizen policymakers. The idea of turning NAEP operations over to the Governing Board was first advanced in a Congressional Research Service report on NAEP reauthorization. Assigning the Governing Board the role of administering the National Assessment was also a prominent part of a bill from the last Congress, H.R. 4875, passed unanimously by the House Early Childhood, Youth and Families Subcommittee. And the Governing Board does have operational experience in a number of areas critical to the conduct of the National Assessment: selecting the subjects to assess, deciding on the content and methodology of the assessment, approving all test questions, and setting the standards for reporting results.

The Governing Board, by its very composition, advances the credibility of the assessment, with its strong emphasis on State and local perspectives and mix of policymakers, educators, test experts and parents: two governors and two State legislators on a bipartisan basis, two chief State school officers, a State and a local board of education member, a school district superintendent, a private school administrator, three teachers, two principals, two parents, a representative of business, two members of the public, and test and curriculum specialists.

Highly distinguished individuals serve on the Governing Board. They include: Melanie Campbell, Fourth-grade Teacher, Topeka Kansas; Dr. Wilmer Cody, Former Kentucky Commissioner of Education; Dr. Daniel Domenech, Superintendent of Schools, Fairfax County, Virginia; Edward Donley, former Chairman, Air Products & Chemicals, Inc., Allentown Pennsylvania; Dr. Thomas Fisher, Director of Student Testing, State of Florida; Dr. Edward Haertel, Professor, School of Education, Stanford University; Juanita Haugen, School Board Member, Pleasanton, California; Hon. Dirk Kempthorne, Governor of Idaho; Hon. Nancy Kopp, former Maryland State Legislator (now State Treasurer); Hon. Ronnie Musgrove, Governor of Mississippi; Mark Musick, Governing Board Chair and President, Southern Regional Education Board; Roy Nageak, Sr., Member, Alaska State Board of Education; Dr. Michael Nettles, Governing Board Vice Chair and Professor of Education, University of Michigan; Debra Paulson, Eighth-grade Mathematics Teacher, El Paso, Texas; Hon. Jo Ann Pottorff, Kansas State Legislator; Dr. Diane Ravitch, Research Professor, New York University; Sister Lourdes Sheehan, R.S.M., Secretary for Education, U.S. Catholic Conference; John Stevens, Executive Director, Texas Business and Education Coalition; Migdania Vega, Principal, Miami, Florida; Dr. Deborah Voltz, Professor of Special Education, University of Louisville; Dr. Michael Ward, North Carolina Superintendent of Public Instruction; Marilyn Whirry, 2000 Teacher of the Year; Dr. Dennie Palmer Wolf, Director, Annenberg Institute, Brown University.

The Governing Board's members are exceptionally well qualified to achieve the delicate balance needed for its mission of "meshing the assessment needs of States and localities with those of the Nation."

### **Roles and Responsibilities**

The 1988 expansion of NAEP necessitated the creation of the Governing Board. While the Board has steadfastly carried out its duties faithfully and effectively, the experience of fourteen years has surfaced a problem in the respective roles and responsibilities of the Department's National Center for Education Statistics (NCES) and the Governing Board. Board Chair Mark Musick, in testimony on May 11, 2000 before the Early Childhood, Youth, and Families Subcommittee, referred to the problem as "shared ambiguity" in roles and responsibilities. Let me explain what we mean by "shared ambiguity" and how it can be a problem for the independence of the National Assessment and, consequently, for No Child Left Behind.

Under current law, the Governing Board is responsible for setting policy for the National Assessment. But the Board does not administer NAEP. That is done by NCES. However, organizationally speaking, there is not a line relationship between NCES and the Board. NCES is a part of OERI, and reports to the Secretary through the Department's Assistant Secretary for Research and Improvement. Without a line relationship, or a legislative requirement, NCES is not obliged to follow Governing Board policy in conducting NAEP.

It is important to remember, too, that the NCES Commissioner administers many program areas other than NAEP, for which the Board has no role, including higher education, international education, longitudinal studies in elementary and secondary education, and the annual "Condition of Education" report. Thus, the governance of NAEP is a special case within NCES, the only one for which an external Board sets policy. Where the conduct of the NAEP program is concerned, NCES has several "masters," which is unsound and unwise. More to the point, it is not good for the NAEP program.

Although the NAEP legislation requires the Commissioner to report to the Board on implementation by NCES of the Board's decisions, the legislation does not specifically require the Commissioner to follow those decisions. The relationship between NCES and NAGB is akin to a local Board of Education that sets policy for a school district but has no authority over the Superintendent, or a corporate Board of Directors to whom the CEO has no direct accountability.

So you can see why I call this "shared ambiguity." Some think of the NAEP governance structure as a set of checks and balances, which was appropriate in 1988, when NAEP's expansion to State level reporting was experimental and the newly created independent citizens' Board was untried. But State level reporting is a clear success and the Governing Board has fourteen productive years behind it. What seemed appropriate as a system of checks and balances given the circumstances in 1988 should not be permitted to become a recipe for paralysis in 2002. The expectation in school administration and the world of business, and virtually all effective organizations, is for clear lines of authority and accountability between policy setting and policy execution. Congress should set no lower expectation for the governance and conduct of the National Assessment. This is especially true given the role of NAEP under No Child Left Behind.

Although "shared ambiguity" has been made to work, it is due solely to the personal characteristics of the individuals involved, not to the logic of the organizational relationships. But the integrity of the National Assessment and the trust of the public are too precious to leave up to good will, personalities, and, in a word, chance. The NAEP legislation should ensure that the policy setting, operations, and reporting of the National Assessment are insulated from partisan politics and special interests. It should provide for NAEP policy, operations, and reporting together under the Governing Board—still independent of, but attached to the Department of Education, with Board members appointed by the Secretary—rather than under two separate organizations.

### **No Child Left Behind Implementation**

The No Child Left Behind Act was signed into law on January 8, 2002. The Act amends the National Assessment and assigns new duties to the Governing Board. The Governing Board has acted with dispatch to carry out the law. Our Chairman, Mark Musick, has sent letters describing the Board's plans and decisions to implement the Act to each Member of the Senate HELP Committee and the House Education and the Workforce Committee (following enactment on January 16, 2002, following the March Board meeting on March 14, and following the May Board meeting on June 6). The three letters include policy statements adopted by the Board and describe the Board's actions to:

- Change the design and methodology of the assessment to provide for reporting within 6 months of the completion of testing.
- Amend the schedule of assessments to provide for biennial assessments in 4th and 8th grade reading and mathematics and to realign the timing of assessments in other subjects in accordance with legislative priorities.
- Adopt new Board policies pursuant to legislative changes under the No Child Left Behind Act of 2001: (1) Public access to NAEP questions; (2) A process for submitting complaints to the Governing Board; (3) NAEP test framework development; (4) NAEP test question development and review; (5) Collection and reporting of NAEP background information; (6) The NAEP long-term trend assessments; (7) Preventing the use of NAEP to influence State and local standards, tests, and curricula.

Following the Governing Board's next meeting in August, we will again provide a written update on our activities related to No Child Left Behind.

#### **H.R. 3801**

The House bill on OERI reauthorization, H.R. 3801, is comprehensive in scope, creating an Academy of Education Sciences that adds statistics gathering and evaluation functions to those currently included in the OERI authorizing statute. It is beyond the Board's purview to address the bill's provisions generally. However, we do believe that certain provisions in H.R. 3801 could exacerbate the ambiguity of authority over NAEP that exists, rather than lessen it.

H.R. 3801 establishes an Academy of Education Sciences, headed by an Academy Director and a new policy and governing board, mandated to set policy for the entire Academy. The National Assessment and the Governing Board are established outside the Academy, under a separate title of the bill. However, as is the case now, the bill provides that NAEP shall be administered by the Commissioner of Education Statistics. The Commissioner and all of the activities conducted in the statistics center of the Academy would be subject to the supervision of the Academy Director and the policies of the Academy Board. H.R. 3801 also amends NAEP itself, transferring authority from the Commissioner to the Academy Director for awarding NAEP contracts. In addition, the duties of the Academy Director overlap with the duties of the Governing Board in several key areas including: assessment methodology, technical review, and reporting.

Because explicit exceptions for NAEP are absent from the bill, H.R. 3801 increases the potential for conflict with the Governing Board over authority over NAEP. For example, and most importantly, H.R. 3801 does not specify that, where NAEP is concerned, the Commissioner is to follow the guidance of and defer to the decisions of the Governing Board. Without such a requirement, NAEP operations could be "held hostage" should there be a disagreement between the Academy and the Governing Board. This could result in delays in operations, untimely reporting, and a loss of credibility.

Another area of potential conflict is in reporting procedures. NAEP's public credibility is rooted in its independence in reporting student achievement results. H.R. 3801 gives the Academy Director authority for the release of all reports prepared within the Academy, and there is no explicit exception for how the release of NAEP data is to be handled. At the same time, the NAEP legislation (both current and as specified in H.R. 3801) requires the Governing Board to "develop guidelines for reporting and disseminating results." Under this latter provision, no NAEP report is released without Governing Board review of the report and without approval in advance of a release plan submitted to the Board by NCES, practices that have been in effect for almost fourteen years. Again, without an explicit exception for NAEP and clearer lines of authority, disagreements could arise that would jeopardize the timely release of NAEP results.

H.R. 3801 provides that the Secretary will receive an advance copy of all reports 30 days prior to release. Again, there is no exception for NAEP. We suggest instead that, not just the Secretary, but also the Chair and ranking minority members of the Senate and House authorizing committees, should be sent advance copies of NAEP reports after the contents have been reviewed and finalized, presumably by the Governing Board. However, the advance period should be significantly shorter than 30 days, perhaps a few days to a week. This is for two reasons. First, a shorter advance period enhances the public perception of independence of the data and freedom from manipulation. Second, a shorter advance period also shortens report production time, so that data can be released to the public more promptly.

We believe that H.R. 3801 in its current form increases the ambiguity and uncertainty about the governance and conduct of the National Assessment. It thus jeopardizes the National Assessment's integrity and credibility at the very time when these should be strengthened. The success of No Child Left Behind depends to a large extent on public trust in the information it receives about student achieve-

ment. Uncertainty can breed mistrust and this is no time for any erosion of confidence in the National Assessment. Whether the problem is defined as “shared ambiguity” or “having too many cooks,” it is very important that the issues we have identified be resolved in final authorizing legislation.

#### Summary and Conclusion

Mr. Chairman, thank you for this opportunity to testify before the Committee on this timely and important subject. Just as “A Nation at Risk” served in 1983 as a stake in the ground to prompt almost two decades of significant education reform efforts in the States across our Nation, so will “No Child Left Behind” serve as a second stake, prompting a greater focus on standards, redoubling efforts to produce results, and relying more heavily on systematic student achievement data to mark our progress.

And just as the need for quality, credible information in the 1980’s led to NAEP’s expansion to provide State level results and to the establishment of a revised governance structure, so do the demands of the coming decade, with a further expansion of NAEP State results, suggest a need for further revisions to NAEP governance.

It is likely that there will be great attention paid when NAEP reading and mathematics results are released in 2003 and every 2 years thereafter. It is essential, therefore, that the National Assessment go forward on firm footing. In reauthorizing the National Assessment, our Nation’s report card, primary attention should be given to making it more independent, ensuring that it is buffered from partisan political influence, and clarifying roles and responsibilities in its governance by transferring authority for NAEP operations and reporting to the National Assessment Governing Board. Sound “constitutional” arrangements will ensure the independence of the National Assessment and its credibility to the public in supplying crucial information on the achievement of students in our schools.

Senator REED. Before I recognize Dr. Miller let me request that the record remain open until the end of the day to allow members to submit statements and questions and without objection, that will be ordered.

Dr. Miller?

Mr. MILLER. Thank you. I wanted to publicly thank Senator Clinton for that kind introduction.

Mr. Chairman and other members of the committee, I am pleased to have this opportunity to share with you my views regarding the important role that technical assistance can play in implementing the No Child Left Behind Act.

I represent the Metro Center, which is one of the 15 Comprehensive Regional Assistance Centers that provide technical assistance to States, school districts, schools and other educational entities. Our specific service area is in the State of New York.

Congress created the Comprehensive Centers in 1994 to provide technical assistance services for implementing school reform strategies primarily in low-performing, high poverty area schools. Therefore I want to define what I mean by technical assistance. I mean the use of knowledge generated by scientifically based research to improve the adoption and implementation of educational practices targeted toward students. This definition suggests that legislation needs to focus on the translation of research into practice as strongly as it focuses on the understanding and meaning of scientifically based research and what works. In other words, research has to find its way all the way to the classroom. Technical assistance is important because it is the key to long-term continuous change for the expressed purpose of implementing priorities in Federal legislation.

The Comprehensive Centers established in 1994 have been involved in five key types of services. First is direct assistance in de-

signing and improving instructional programs in high poverty schools. Second, training and professional development activities for teachers and administrators. Third, information dissemination on current research and best practices in forms that are useful to school staff. Fourth, collaboration services in linking schools with each other and the community, forging strategic partnerships, helping educators build networks for support and continuous learning. And finally, advice and consultation and the implementation of relevant policies, particularly in the very complicated No Child Left Behind Act.

But this morning I want to talk quickly with you about three topics: one, how the Comprehensive Regional Assistance Centers are making a real positive difference in the classroom; second, to describe six basic ways that Congress can strengthen the technical assistance system in order to help improve the academic performance of all children; and third, I want to tell you why the centers are uniquely positioned to help implement the No Child Left Behind Act.

First of all, the Comprehensive Centers are already benefitting children, teachers and families in communities across the country. For example, in New York City we have a technical assistance program with 47 of the lowest-performing schools in collaboration with the New York City Board of Education, which we have now been doing for the last 3 years. This profile of success speaks well for the expert services that centers can bring to bear in helping low-performing, high poverty students succeed.

I believe we can benefit more students in more communities by strengthening the technical assistance infrastructure and I have six recommendations for how this can be done in the reauthorization of the Federal education research programs.

Recommendation number one: strengthen and expand the overall system of knowledge utilization currently supported and administered by the Department of Education. Our technical assistance program is part of a larger knowledge utilization system that includes research, development, dissemination, professional development. To improve technical assistance the larger system also needs to be improved.

Recommendation number two: sustain the basic technical assistance infrastructure of the Comprehensive Centers. The centers have already established a specialized capacity for providing high quality research-based technical assistance. To ensure that No Child Left Behind Act is effectively and efficiently implemented, the Comprehensive Centers infrastructure should be maintained while making a number of refinements and enhancements. This will also enhance efforts already under way in the Department of Education and make sure the priorities actually get to the classroom.

The third recommendation: increase the investment in Comprehensive Centers to address greater demand. In response to the strong accountability provisions in the No Child Left Behind Act, it is anticipated that States, districts, tribes, and schools will have a significant increase in the demand for technical assistance to help them turn around low-performing schools. And in fact, it is es-

estimated that this year alone there are 5,000 to 7,000 more schools that are going to be identified as low-performing schools.

Recommendation number four: align the Comprehensive Centers' mission with the No Child Left Behind Act. The Comprehensive Centers should be utilized to implement effectively the reform initiatives specified in the act.

And number five: establish core services for the Comprehensive Centers. In other words, one of those core services should be to specifically work with those identified low-performing schools that are on the increase.

And the final recommendation is to build the improved technical assistance systems on the data, on the data that comes from geographic and demographic factors. We must take into consideration demographics, included but not limited to the total number of students in a region or State, numbers of limited English-proficient students, numbers of Title I students, and those on free and reduced lunch.

States, districts, tribes, other grantees do not currently have the capacity to implement a number of the key provisions of the No Child Left Behind Act, particularly in such areas as accountability, assessments, flexibility, teacher quality, and low-performing schools. The Comprehensive Centers have the experience and the expertise to help the U.S. Department of Education effectively implement the new law in every State throughout the country.

Candidly, I do not know if there is any other system that is as uniquely qualified as the Comprehensive Centers are. We are very proud of our service to the Nation's children and schools and I hope that with the continuing interest and support of Congress, the Comprehensive Regional Assistance Centers can continue working to ensure that no child is left behind.

Senator FRIST. [presiding]. Thank you, Dr. Miller.

[The prepared statement of Mr. Miller follows:]

#### PREPARED STATEMENT OF LAMAR P. MILLER

Mr. Chairman and Members of the Committee, I am LaMar P. Miller, Professor of Education and Executive Director of the Metropolitan Center for Urban Education at New York University. I am pleased to have this opportunity to share with you my views regarding the important role of Technical Assistance (TA) to support the new legislation of No Child Left Behind (NCLB).

At the Metro Center we operate one of the 15 Comprehensive Centers located across the country that provide TA to States, school districts, schools, tribes and other educational entities. Our specific service area is the State of New York. As part of this network of Centers we have had the opportunity to observe first hand, both the strengths and pitfalls of Technical Assistance.

My interest is in commenting on how TA can be strengthened in the legislation. I should like to cover four important points. First is the definition of TA. Second is why TA is important. Third are special challenges that TA providers face. And finally, what I believe is needed to strengthen the system.

#### **Definition**

A working definition of TA might be stated as follows: *TA is a means of using knowledge generated by scientifically based research to improve the adoption and implementation of educational practices that are targeted toward students.*

This definition suggests that the legislation needs to focus on the transition of research into practice as strongly as it focuses on the understanding and meaning of scientifically based research and what works. More importantly, when Federal funds are provided to support Federal priorities, there must be a network of federally monitored TA providers to ensure that the messages of the Federal Government are faithfully transmitted all the way to the classroom.

We need to keep one guiding principal in mind, the major goal is capacity building. TA should happen with people and for people but never to people. An effective system of TA can do this by emphasizing needs analysis, solidifying and nurturing relationships, and involving clients in the planning, implementation and evaluation of TA efforts.

What kind of services do the CCs provide?

Direct assistance in designing and improving instructional programs in high-poverty schools;

- Training and staff development activities for teachers and administrators;
- Information dissemination on current research and best practices in forms that are useful to school staff.
- Collaboration services in linking schools with each other and the community, forging strategic partnerships, helping educators build networks for support and continuous learning.
- Advice and consultations in implementing relevant policies and developing strategies to optimize the use of resources.

Some key examples of technical assistance currently offered by comprehensive centers include:

- A think tank collaborative that has brought together representatives from the New York State Education Department, The New York City Board of Education, The New York Teacher Center, The Regional Lab, and The States Regional Schools Support Center to coordinate CSRD and related services.
- TA to empowered networks of low performing schools to address specific issues such as math, and reading by providing sustained professional development.

A network of centers that address the issues of migrant education by focusing on English language learners and by offering a series of ongoing workshops and opportunities for teachers of migrant children.

What is special and unique about the CCs work that others don't do?

The CCs have a uniquely focused expertise in:

- Implementing the programs authorized in NCLBA
- Serving the specialized populations identified in NCLBA programs
- Serving the specialized populations identified in NCLBA programs
- Providing "one stop shopping" services for technical assistance.

Developing and implementing researched based strategies for turning around low performing high poverty schools.

### **The Importance of Technical Assistance**

Technical Assistance is important because it is the key to long-term continuous change for the express purpose of implementing priorities stated in Federal legislation. A monitored system of TA providers allows the States and districts to be both a client and a partner while the provider can be both proactive and reactive. In this way, States and districts can truly build capacity while adjusting to local needs and at the same time, share in the knowledge of the provider who is supported by the Federal Government.

There are other reasons why TA is important. First of all, in response to the strong accountability provision in NCLBA, it is anticipated that States, districts, tribes and schools will have a significant increase in the number of low performing schools. States, districts, schools, tribes and other grantees do not currently have the capacity to implement a number of the key provisions of the NCLBA, particularly in areas relating to accountability, assessments, flexibility and teacher quality. In fact, States are currently struggling with the choice provision in the law and provisions for supplemental educational services. Subsequently, the demand for TA has already increased. Hence, there is an urgency to strengthen and expand the current system of TA providers.

Second, many State Education Departments and large urban school district offices have staff trained and experienced in monitoring for program/fiscal compliance—but not for delivering technical assistance on research-based practices or strategies. As a result, the proliferation of programs and initiatives intended to improve districts and schools is often overwhelming but ineffective. Rather than promoting school-wide improvement it discourages it by producing the impression that each initiative is an independent program (silo effect) rather than part of a comprehensive whole.

Providing services to State Education Agencies (SEAs) is often affected by the changes in the State's political climate. Schools and school districts are not always truly aware of what their needs are. Comprehensive needs assessments, with input from all stakeholders, are frequently lacking. A prioritization of needs, with teachers involved in the decision making process, is also frequently lacking.

Third, teachers in low performing schools are generally new and bring with them limited experience in teaching at-risk populations which can lead to limited teacher

efficacy. Often TA is in the form of a one or two-day workshop that introduces new ideas but leaves teachers on their own to implement new methods and other innovations. They have had relatively little opportunity for professional development that is continuous, needs based and integrated into their daily routine. Teaching, especially under the demands and rigueur of scientifically based research curricula and new requirements to meet State standards, is a complicated task. Therefore, teachers are generally accepting of technical assistance when it is on going, comprehensive and collaborative in nature.

Finally, the quality of some assessment practices and the programs promoted as quality research-based solutions are often flawed. Technical assistance is needed to help practitioners be more astute consumers of assessment information and claims of "proven effective, packaged solutions," so resources and energy are not squandered.

In summary, technical assistance needs to be focused, intense and sustained on critical issues for a sufficient time for the client to acquire and internalize the knowledge and skills necessary, to become self-sufficient.

#### **Special Challenges That Technical Assistance Providers Face**

Technical assistance must address the greater challenges faced by children in those schools, classrooms and States with the largest number of poor and undeserved children.

These challenges include:

1. Support for new and inexperienced teachers who need sustained professional development anchored in the understanding of rigorous and evidenced based curricula practices.
2. Development of a school culture where the twin goals of excellence and equity are not compromised.
3. Capacity building at the State level for developing equitable assessments, this includes educating the public by the State about the appropriate use of test data.
4. Assurance that there is an understanding of the linkage and interpretation of high stakes assessment on the one hand and on the other hand the appropriate changes that must therefore follow in the teaching and learning framework.

#### **Strengthening the System of Technical Assistance**

The legislation should establish a much stronger system of TA if it is to carry out the mandates of the NCLBA and ensure that all children reach high levels of performance and achievement. Clearly defined roles and responsibilities should be the foundation of a strengthened system of technical assistance. In general, this new system should:

- Meet increased demand with new and sustained investments.
- Promote research to practice and the effective implementation of national efforts to leave no child behind.
- Raise the quality of rigor of research and research applications.
- Develop an integrated agenda for research.
- Clarify and simplify the mission of the Office of Education Research and Improvement.

I believe that there are six basic ways to strengthen the technical assistance system that will ultimately help improve the academic performance of all children.

The six suggestions are:

1. First, strengthen and expand the overall system of knowledge utilization that is currently supported and administered by the Department of Education. It is important to emphasize that our technical assistance program is part of a larger knowledge utilization system that includes research, development, dissemination, professional development, evaluation as well as technical assistance. I believe that in order to improve TA the larger system also needs to be improved.
2. Sustain the basic technical assistance infrastructure of the Comprehensive Centers (CCs). The CCs will work through their client organizations to help targeted grantees to:
  - Gain a full understanding of the relevant new provisions of NCLBA, including issues related to compliance and accountability.
  - Align local and State policies with NCLBA.
  - Identify new programmatic requirements and funding opportunities.
  - Address specific needs of schools identified for improvement.
  - Identify and implement research based programs and practices needed for high quality implementation of specific provisions.
3. Increase the number of TA centers to take into account proximity to the large numbers of low performing schools and needy students.
4. Align the CCs mission with the NCLBA.

- Address high priority needs, particularly in low-performing schools and Title I targeted, high-poverty districts;
  - Provide TA to school districts, schools, and intermediate agencies whose mission is to improve low performing schools;
  - Assist SEAs with technical issues surrounding the implementation of NCLB and build their capacity to provide meaningful support to low performing schools;
  - Assist States and school districts in addressing the barriers to student achievement such as limited English proficiency and the achievement gap that exists between minority and majority students.
5. Establish core services for the CCs TA delivery.
- Develop and implement interventions based on scientific research that has been field-tested in classrooms;
  - Recommend specific research-based practices to meet the unique needs of a particular school or district;
  - Develop and implement research-based technical assistance strategies that enhance reading, math and science instruction;
  - Promote research-based strategies that improve student achievement that are cost effective;
  - Develop and implement technical assistance strategies that help translate research into classroom practice;
  - Align their services with No Child Left Behind;
  - Build local capacity.

6. Build the New Technical Assistance System on Geographic and Demographic Factors. For the NCLB TA Centers to be effective in fulfilling the aforementioned roles and responsibilities, geographic and demographic factors become extremely important. Two key principles which must be taken in consideration when building a technical assistance infrastructure are (1) demographics (including but not limited to total number of students in a region or State, numbers of limited English proficient students, numbers of Title I schools in a State/region, free and reduced lunch numbers, schools in corrective action) and (2) client density.

Clusters of States, individual States, or parts of large States with significant numbers of students at risk or the highest percentages of schools or districts in improvement or corrective action need concentrated and focused amounts of sustained technical assistance. For example, 51 percent of all Title I students served in the Nation reside in California, Texas, New York, Florida, Michigan, Illinois and Puerto Rico. Their systems are complex with the numbers of potential clients (administrators, teachers, parents and students). Signaling out these large geographic areas and creating one or more NLCB TA Centers would allow for grouping other States into demographically or geographically similar clusters in order to maximize service efficiency.

Recognizing client density allows for proximity of service delivery and increased efficiency that enhances the quality and impact of technical assistance. Similar demographics equates to consistency in the quality of TA and less disparate variables and/or problems.

Technical assistance can serve as direct links between practitioners and research. With all of the wonderful educational research that has emerged, why does it have limited success in guiding classroom instruction? The National Academy of Sciences has suggested that locally based TA entities may play pivotal roles in forming "learning communities". Learning communities would be forums where practitioners and researchers join to inform each other's work. Researchers may take directives based on practitioners experience whereas practitioners would have the opportunity to learn more about research findings and their implications for transforming instruction or school district policies.

For me, the most important outcome of an effective technical assistance system is what it will do for students. I have stressed a system that would be directly aligned with No Child Left Behind: cost effective, responsive to local needs, based on scientific research and focused on improving student achievement. Make no mistake about it, an effective technical assistance system must provide assistance to schools in ways that will provide all children with the opportunity to achieve academic success.

Senator FRIST. Miss Taylor?

Ms. TAYLOR. Thank you, Senator Frist. It is certainly an honor to be here to testify before this distinguished committee regarding the reauthorization of the Office of Education Research and Improvement and to underscore what is said about the need to pro-

vide sound research upon which States can make good decisions about improving education.

I testify today on behalf of the Education Leaders Council, which is a nonprofit, nonpartisan organization of practicing reformers. Its leadership includes 11 State education chiefs, including myself, representing over 30 percent of the Nation's K-12 population. Our membership includes governors, State boards of education, and practicing reformers throughout the Nation's education systems.

First on behalf of ELC let me commend the chairman and the rest of the committee for the work on the No Child Left Behind Act of 2001. I believe it is truly a landmark education reform that will have a profound impact upon this Nation, ensuring that all children are provided the opportunity to high quality education.

The No Child Left Behind Act includes many important provisions but I believe that one that is particularly key and relevant to this morning's hearing is the focus on scientifically based research. This term is used throughout the new law in a way that will require everything from technical assistance in failing schools to reading programs to be based on sound scientific evidence that shows which strategies are effective toward improving student academic achievement.

In effect, what Congress has said is that Federal funds may no longer be used to support programs that have no compelling evidence of effectiveness. To those not familiar with the world of education, this may seem like common sense. However, I can attest that in my many years being involved in education at the ground level, what works is often defined by a variety of things, including good intentions, expensive marketing, and just good plain politics, all at the expense of a hard look at the evidence and ultimately at the expense of our Nation's children.

This is why today's hearing on Federal education research is critical to ensuring the promises of the No Child Left Behind and that they become a reality. Specifically today's focus on the Federal role in education research is important because to date ELC believes that there is much room for improvement in this area. For this to occur OERI must be significantly reformed as a part of the current reauthorization. ELC believes that such reform must, at a minimum, focus on three pillars: integrity, quality, and utility of educational research.

I am pleased to say that Chairman Castle's bill, which recently passed in the House, leads me to believe that we are already on a path toward achieving each of these goals. That bill needs some further fine-tuning, particularly with respect to its handling of statistics and assessment, but it is a very solid start to the needed reform.

Let me begin with integrity. By integrity I am, of course, not talking about any personal honesty of those working within the Department of Education research. Instead I am talking about the soundness of the system and the infrastructure through which education research is produced.

In discussing research, let me highlight evaluations done within the department. To the extent that such evaluations are conducted by the same agency administering the program being evaluated, it seems this is very much like the fox minding the henhouse. ELC

believes the issue of integrity must be addressed. How this comes about is most certainly a combination of many factors, some of which, such as changing the culture of education research, may be hard to legislate.

However, I believe that a great deal can be done by simply creating an infrastructure that is conducive to building integrity and staving off the appearance or the reality of undue political influence. At a minimum, this should include providing as much independence for research and evaluation as possible while ensuring proper checks and balances.

ELC encourages this committee to closely examine the options in this area which should, as in the bill passed by the House, include consideration of a quasi-independent agency for research and evaluation while retaining the oversight of a Cabinet-level executive department.

Although some changes were made in the National Assessment of Educational Progress as a part of its enhanced role in No Child Left Behind, there are additional long-standing issues regarding the independence and the integrity of the NAEP and the role of the National Assessment Governing Board that remain to be addressed. We believe it is important to grant additional independence and authority to NAGB in the operation of the NAEP.

NAGB's capacity to ensure the integrity and accuracy of the National Assessment of Educational Progress should not hinge on the sufferance or goodwill of particular officials in the Department of Education or a new academy to be created within the department. Congress should entrust NAGB with full responsibility for NAEP rather than splitting that jurisdiction with the National Center of Education Statistics or the new academy. In our view the House bill did not adequately address the ambiguities regarding NAGB's authority over NAEP.

Chairman Kennedy has often been described as the father of NAGB and it is our hope that this committee will take this opportunity to reestablish suitable constitutional arrangements that will ensure NAEP's independence and integrity. Given the new burdens that No Child Left Behind places on NAEP and the added importance of NAEP results, this has never been more urgent.

We also urge this committee to be careful not to undermine the integrity and status and the autonomy of the National Center of Education Statistics. The House bill passed, perhaps unintentionally, downgrades the Federal education statistical enterprise by giving the NCES commissioner less independence than in the case today. This could cause damage by creating the possibility or at least the appearance of manipulation of important educational statistics. It will also make it harder to recruit able people for the key role of statistics commissioner.

Now if I may speak to quality, many of us by now are familiar with the National Reading Panel's review of research on reading and the fact that such a large amount of research in this area was simply not scientifically sound. I would not be at all surprised to learn that a vast majority of this research was, in fact, funded in whole or in part by the Federal Government. Just imagine where we would be if each and every Federal dollar that the Federal government has spent on education research in the past 20 years had

met the same type of definition of research passed by No Child Left Behind. We would clearly have a far better understanding of education and learning on all topics, ranging from the teaching of mathematics to relatively newer areas related to education technology. Unfortunately, this is not the case.

It is simply imperative that Congress take this opportunity to ensure that education research is, in fact, held to the same high level of scrutiny as exists in other fields of inquiry and that a body of knowledge be created for the education issues facing this Nation. For too long we have heard excuses of why such research is not fitting for education when all along it has been this failure to hold education research to these standards that has left a vacuum of knowledge that has instead been filled with hunches.

Finally, let me discuss the third pillar of reform, which is utility. The key question I asked myself in preparing this testimony was this. In all my years involved in education reform, what role has Federal education research and the research infrastructure played in my role as an education practitioner?

I believe that far too large a portion of limited Federal research resources continues to support projects and organizations that are not useful for the production of high quality research and development, statistics, assessment, and program evaluations. This has been the result of unfocussed priorities and mandates derived from prescriptive statutory requirements, separate Federal priority boards and pressure to adhere to political and education fads. Congress must not micromanage the priorities of the research agency but instead, establish a workable process by which on-going input from parents, teachers, schools, researchers, policymakers and others form the basis of specific priorities and a strategy for carrying them out.

For example, it would be wonderful if we could develop a knowledge base about the acquisition of math skills, a knowledge that was as powerful as the one we had in developing reading. In Tennessee we are also enormously concerned about how to maintain the growth of higher level reading skills and thoughtful literacy in middle and high schools. We are also concerned about how to help children who have fallen seriously behind in the growth of their literacy skills catch up with their peers. We would welcome carefully designed studies in this area and would be most willing to consider their results as we formulate our educational policies at the State level.

We are at a critical juncture with respect to education in this country. The many reforms now taking place at the State and local levels, aided greatly by passage of No Child Left Behind, are largely predicated on the belief that we know what works. Unfortunately, we know far less of what works than we are willing to admit. However, the opportunity to gain a far better understanding of the complexity of education is upon us with the reauthorization of the OERI.

The House bill contains a number of very good things on the research and evaluation front but did not and, in fact, has created some problems on the statistics and assessment front. We simply urge the Senate to take the good and fix the bad and take advantage of the opportunity to greatly increase the integrity, quality

and utility of education research and ELC stands willing to assist in any way we can.

Senator REED. Thank you very much, Miss Taylor and Dr. Nettles, Dr. Miller.

[The prepared statement of Ms. Taylor follows:]

PREPARED STATEMENT OF FAYE TAYLOR

Good morning Mr. Chairman and Members of the Committee. It is a pleasure and honor to be here today to testify on issues surrounding the reauthorization of the Office of Education Research and Improvement (OERI).

My name is Faye Taylor, and I serve as Commissioner of Education for the State of Tennessee. I have spent 29 years in education. Before being appointed Commissioner by Governor Sundquist, I served as a classroom teacher, a reading resource teacher, a Title I teacher, a principal and a supervisor.

I am testifying today on behalf of the Education Leaders Council (ELC). ELC is a nonprofit, nonpartisan organization of practicing reformers. Its leadership includes eleven State education chiefs, including myself, representing over 30 percent of the Nation's K-12 population as well as governors, State boards of education and practicing reformers throughout the Nation's education systems. My ELC colleague, Florida Secretary of Education Jim Horne, has also provided similar testimony in the U.S. House of Representatives on these important issues.

First, on behalf of ELC let me commend you, Mr. Chairman, and the rest of the committee, for your work on the "No Child Left Behind (NCLB) Act of 2001," which I believe is truly a landmark education reform that will have a profound impact in this Nation toward ensuring all children are provided the opportunity for a high-quality education.

The "No Child Left Behind Act" includes many important provisions, but I believe one that is particularly key and relevant to this morning's hearing is the focus on "scientifically based research." This term is used throughout the new law in a way which will require everything from technical assistance for failing schools to reading programs to be based upon sound scientific evidence that shows such strategies are effective toward improving student academic achievement.

Although often overlooked in many of the summaries and press accounts of "No Child Left Behind," I believe this focus on scientifically-based research may in fact be among the provisions in the new law which has the most lasting and positive impact toward education reform in this Nation. And there is no place where this principle needs to be applied with greater diligence than in the work of the Federal Government's own education research endeavors.

In effect, what Congress has said is that Federal funds may no longer be used to support programs that have no compelling evidence of effectiveness. To those not familiar with the world of education, this may seem like common sense. However, I can attest that in my many years of being involved with education at the ground level, "what works" is often defined by a variety of things including good intentions, expensive marketing—and of course, a whole lot of politics—all at the expense of a hard look at the evidence and ultimately at the expense of our nations' students.

"No Child Left Behind" will force schools, districts, and States to focus far more on evidence and to demonstrate that funds are being used for programs that scientific inquiry has shown to have positive results.

This is why today's hearing on Federal-education research is critical to ensuring the promises of the NCLB become a reality.

Specifically, today's focus on the Federal role in education research is important because to date, ELC believes that there is much room for improvement in this area.

Simply put, I believe there is a broad consensus among those at the State and local levels that much of the research funded and disseminated by the Federal Government, has not to date, met the same stringent criteria that will now be applied to schools, districts and the States.

For this to occur, OERI must be significantly reformed as part of the current reauthorization. ELC believes that such reform must, at a minimum, focus upon three pillars: Integrity, quality, and utility of educational research.

I am pleased to say that Chairman Castle's bill, which recently passed in the House, leads me to believe that we are already on a path toward achieving each of these goals. That bill needs some further fine tuning, particularly with respect to its handling of statistics and assessment, but it is a very solid start on the needed reforms.

*Let me begin with integrity.*—By integrity, I am of course not talking about the personal honesty of those working within the department on education research. In-

stead, I am talking about the soundness of the system and the infrastructure through which education research is produced.

I understand that over the course of the past few years, including in testimony to the House Subcommittee charged with this legislation, it has been widely asserted that far too much of the research overseen by OERI has suffered from a lack of credibility. As an education reformer from the State level, I don't pretend to be an expert on why this has historically been the case. However, I would agree there is clearly the perception out in the field that too often, this research—and more specifically, the topics, the timing, and the findings—is driven more by politics than sound-scientific inquiry. I think it needs to be admitted that the “canons of science” haven't always worked well even when applied to education research, which is why we find so many ‘peer reviewed’ reports and studies that turn out to be just ideological soap boxes.

In discussing research, let me highlight evaluations done within the Department. To the extent that such evaluations are conducted by the same agency administering the program being evaluated, it seems this is very much the case of the fox minding the hen house.

ELC believes the issue of integrity must be addressed.

How this comes about is most certainly a combination of many factors—some of which, such as changing the culture of education research may be hard to legislate. However, I believe that a great deal can be done by simply creating an infrastructure that is conducive to building integrity and staving off the appearance (or realities) of undue political influence.

At a minimum, this should include providing as much independence for research and evaluations as possible while ensuring proper checks and balances. This may be easier said than done, as there is a fine line between autonomy and a lack of accountability. ELC encourages this committee to closely examine the options in this area, which should—as in the bill passed by the House—include consideration of a quasi-independent agency for research and evaluation while retaining the oversight of a Cabinet level executive department.

Although some changes were made to the National Assessment of Educational Progress (NAEP) as part of its enhanced role in No Child Left Behind, there are additional, longstanding issues regarding the independence and integrity of the NAEP and the role of the National Assessment Governing Board (NAGB) that remain to be addressed. We believe it is important to grant additional independence and authority to NAGB in the operation of the NAEP. NAGB's capacity to ensure the integrity and accuracy of NAEP should not hinge on the sufferance or goodwill of particular officials in the Education Department or a new “Academy” to be created within that Department. Congress should entrust NAGB with full responsibility for NAEP rather than splitting that jurisdiction with the National Center for Education Statistics (NCES) or the new Academy. In our view, the House bill did not adequately address the ambiguities regarding NAGB's authority over NAEP. Chairman Kennedy has often been described as the father of NAGB and it is our hope that you and your committee will take this opportunity to reestablish suitable constitutional arrangements that will ensure NAEP's independence and integrity. Given the new burdens that NCLB places on NAEP and the added importance of NAEP results, this has never been more urgent.

We also urge this committee to be careful not to undermine the integrity and status and autonomy of the National Center for Education Statistics (NCES). The House passed bill, perhaps unintentionally, downgrades the Federal education statistical enterprise by giving the NCES Commissioner less independence than is the case today. This could cause damage by creating the possibility, or at least the appearance, of manipulation of important education statistics. It will also make it harder to recruit able people for the key role of statistics commissioner.

*The second pillar of reform is quality.*—Many of us by now are familiar with the National Reading Panel's review of research on reading and the fact that such a large amount of research in this area was simply not scientifically sound. I would not be at all surprised to learn that a vast majority of this research was in fact funded in whole or in part by the Federal Government.

Just imagine where we would be if each and every Federal dollar that the Federal Government spent on education research for the past 20 years had met the same type of definition of research passed as part of NCLB. We would clearly have a far better understanding of education and learning on all topics ranging from the teaching of mathematics to relatively newer areas related to education technology. Unfortunately, this is not the case. At the dawn of passage of the NCLB Act, many of us at the State and local level are waking up to realize that the requirement that our programs use scientific research was based upon the premise that such research has existed all along—a premise that is simply not true.

Albeit late in coming, it is simply imperative that Congress take this opportunity to ensure that education research is in fact held to the same level of scrutiny as exists in other fields of inquiry and that a body of knowledge be created for the education issues facing this Nation. For too long, we have heard excuses of why such research is not fitting for education, when all along, it has been this failure to hold education research to these standards that has left a vacuum of knowledge that has instead been filled with hunches.

*Finally, let me discuss the third pillar of reform, which is utility.*—The key question I asked myself in preparing this testimony was this: In all my years involved in education reform, what role has Federal-education research and the research infrastructure (including the Federal education labs, research centers and comprehensive centers) played in my role as an education practitioner?

I believe that far too large a portion of limited Federal research resources continues to support projects and organizations that are not useful for the production of high quality R&D (Research and Development), statistics, assessments and program evaluations. This has been the result of unfocused priorities and mandates derived from prescriptive statutory requirements, separate Federal priority boards, and pressure to adhere to political and education fads.

Congress must not micromanage the priorities of the research agency but instead establish a workable process by which ongoing input from parents, teachers, schools, researchers, policy-makers and others, form the basis for specific priorities and a strategy for carrying them out. For example, it would be wonderful if we could develop a knowledge base about the acquisition of math skills and knowledge that was as powerful as the one we have developed for reading. In Tennessee, we are also enormously concerned about how to maintain the growth of higher level reading skills and “thoughtful literacy” in middle and high school. We are also concerned about how to help children who have fallen seriously behind in the growth of their literacy skill catch up to their peers. We would welcome carefully designed studies in this area, and would be most willing to consider their results as we formulate educational policy in our State.

In determining research priorities and implementing them on a timely basis, the agency should not be hampered by a cumbersome statutorily mandated structure or by earmarks and set asides for specific categories of grantees and contractors (including the research institutes, labs and centers). These are major obstacles to the agency's efficiency and effectiveness. Instead, OERI or its successor should be provided proper latitude in determining the best nationwide structure to carry out its mission and disseminate its work.

Such a structure is imperative if Federal research is to be useful to those who are supposed to be the end users of this valuable information. As you consider and evaluate specific proposals for reforming and refocusing OERI, we suggest that you address the following important issues:

(1) The structure should adequately insulate key decisions about Federal education R&D (and statistics and assessment) from politicians and from other interest groups.

(2) The statistics and assessment operation should be given the political autonomy and professional integrity needed for its data to be trustworthy—while also making that operation accountable for the speed, accuracy and utility of its data.

### **Conclusion**

We are at a critical juncture with respect to education in this country. The many reforms now taking place at the State and local levels—aided greatly by passage of the No Child Left Behind—are largely predicated on the belief that we know what works.

Unfortunately, we know far less of what works than we all admit. However, the opportunity to gain a far better understanding of the complexity of education is upon us with the reauthorization of OERI. The House bill contains a number of very good things on the research and evaluation front but did not solve, and in fact has created, some problems on the statistics and assessment front. We simply urge the Senate to keep the good and fix the bad and take advantage of this opportunity to greatly increase the integrity, quality and utility of education research in this Nation.

ELC stands ready to assist you in this endeavor.

Senator REED. My colleague, Senator Frist, was called away. I have to go to the floor to debate national missile defense so I will ask that you be prepared to respond to any questions that may be submitted in writing to you to follow up on your excellent testi-

mony. The record will remain open so that your responses will become part of the record.

Again thank you for your insightful and thoughtful testimony today. I appreciate it very much.

At this point let me declare the hearing adjourned. Thank you.

## ADDITIONAL MATERIAL

News  
Rhode Island  
**U.S. SENATOR JACK REED**  
*330 Hart Senate Office Building, Washington, D.C. 20510*

**Reed Introduces Teacher Training Legislation**  
July 27, 1999

**WASHINGTON** - U.S. Sen. Jack Reed today introduced the Professional Development Reform Act, a program to provide sustained and intensive professional development for new and current teachers. The legislation will fund mentorship programs for new teachers and training for mentor- teachers to ensure they have the skills to help these teachers.

Reed's bill will also provide teachers the opportunity to visit other classrooms to model effective teaching practices; train teachers to integrate technology into the classroom, to address the needs of diverse students and involve parents; foster partnerships between elementary and secondary schools and institutions of higher education for advanced training opportunities; provide teachers with collaborative learning opportunities, including team teaching, peer observation and teacher networks; and leadership training for principals and superintendents.

"Well-trained and well-prepared teachers are central to improving the academic achievement of students," said Reed, a member of the Senate Committee on Health, Education, Labor and Pensions. "It is important to prepare them for the everyday challenges they will face in the classroom."

The Professional Development Reform Act complements earlier legislation written by Reed and signed into law as part of the Higher Education Act Amendments of 1998. The Teacher Excellence in America Challenge (TEACH) Act established a competitive grant program for professional development partnerships consisting of institutions of higher education, public schools, state and local educational agencies and others, with a priority given to partnerships that serve a high percentage of economically disadvantaged children.

"Unfortunately, too many teachers only have access to professional development that consist of once a year workshops at which teachers listen passively to experts, hear about topics that are not essential to teaching and are isolated from the actual practice of teaching. This legislation will transform professional development from such ineffective approaches to one that research shows works: sustained, intensive activities that are content focused and integrated into the daily work of the school.

"Our challenge, as a nation, is to prepare and sustain the best teachers in the world," Reed continued. "All teachers should participate in an ongoing, collaborative and comprehensive effort to improve their teaching skills and increase the achievement of their students."

**Professional Development Reform Act: Summary**

Senator Reed's legislation would reform professional development for teachers from the current

system of one-shot, low-intensity workshops to a sustained, collaborative, content-centered professional development approach that is embedded in the school day and designed to help students meet challenging state content and performance standards.

The Professional Development Reform Act creates a new formula program that would fund the following activities:

- Mentoring, team teaching, peer observation and coaching;
- Dedicated time for collaborative lesson planning;
- Consultation with exemplary teachers and short- and long-term visits to other classrooms and schools so teachers can model effective practice;
- Partnerships between elementary and secondary schools and institutions of higher education for providing advanced content area courses and training to address teacher shortages;
- Professional development networks to encourage interaction among teachers and administrators and for interchange of information on advances in content and pedagogy; and
- Release time and compensation for mentor and substitute teachers.

The legislation also provides for training to develop and enhance the instructional leadership skills of principals and administrators, as well as training to ensure that mentors have the skills necessary to help our newest teachers and other teachers who need assistance in the classroom.

The legislation targets funding to Title I schools with the highest percentages of students living in poverty; requires coordination with existing federal, state, and local professional development activities and funding; and contains strong accountability provisions.

With an estimated need for 2 million new teachers over the next decade, the legislation authorizes \$1 billion for fiscal year 2000, and such sums for fiscal years 2001 to 2004.

-End-

[Whereupon, at 11:28 a.m., the hearing was adjourned.]